

**Division of Professional Licensure
Fiscal Year 2005
Annual Report**



*Working for Massachusetts consumers...
serving licensed professionals*

Commonwealth of Massachusetts

Governor Mitt Romney

Lieutenant Governor Kerry Healey

Executive Office of Economic Development

Secretary Ranch Kimball

**Office of Consumer Affairs and Business
Regulation**

Director Beth Lindstrom

Division of Professional Licensure

Director Anne L. Collins

Dedication

The accomplishments of the Division of Professional Licensure would not be possible without the faithful commitment of the volunteer members of the Boards of Registration. These unselfish individuals dedicate at least one business day per month, and in many cases much more of their time, to protect the public and to provide continuous service to the licensees of the Commonwealth. This report is dedicated to the over 200 members that comprise the Boards of the Division of Professional Licensure.

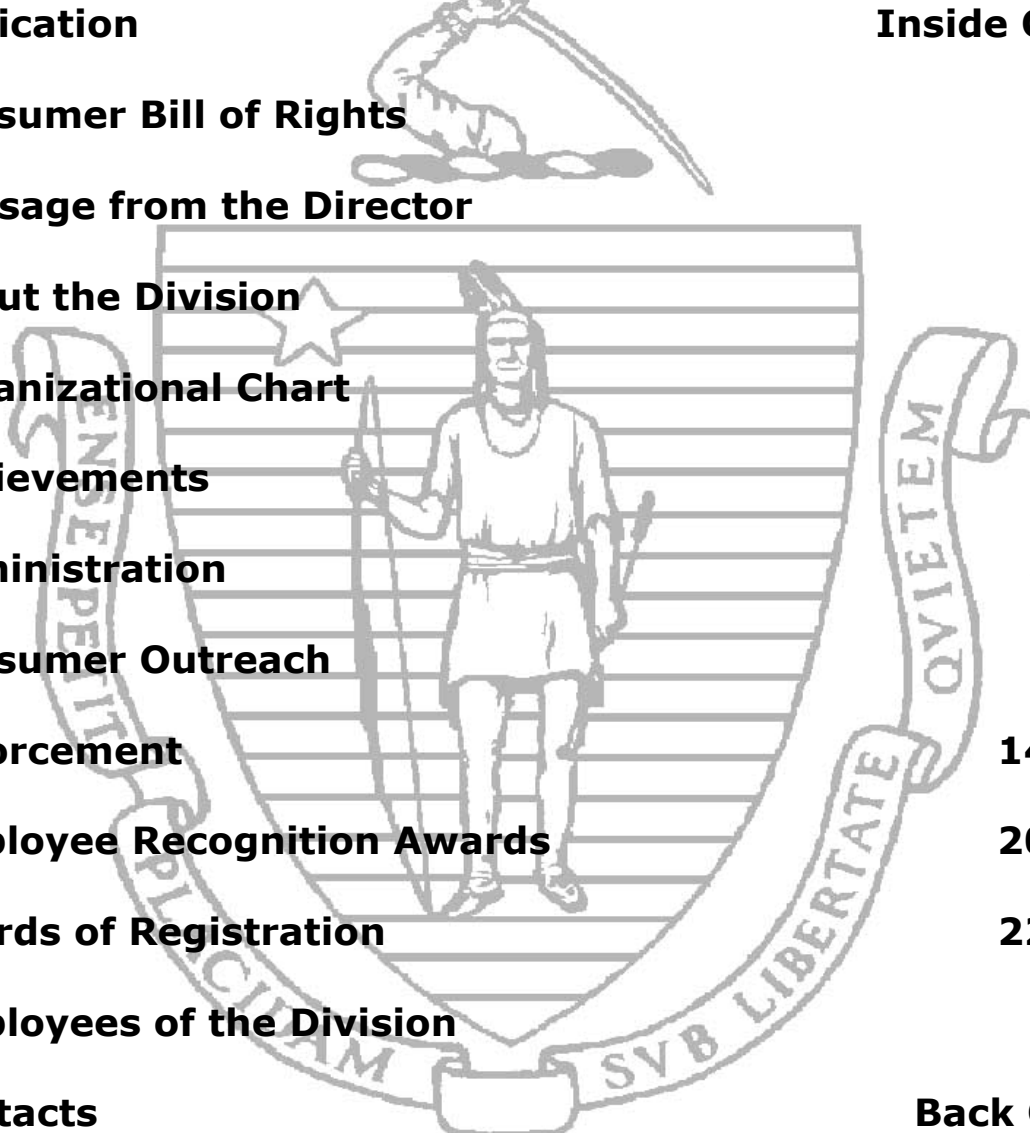
Special Acknowledgments:

Many thanks also go to:

- Robert Hall, member of the Board of Engineers and Land Surveyors, who served with distinction for 25 years, sadly passed away October 15th 2005.
- Jack Kaslauskas, dedicated member of the Board of Funeral Directors and Embalmers, who passed away March 4, 2005. Jack served the Board with distinction for over 14 years
- Susan Dolabany, long standing member of the Division Staff, who contributes tirelessly to all aspects of DPL's success while serving as the Director of the Accounting Unit.
- Jerry DeCristofaro, who celebrates his 45th year with DPL and serves as Chief Investigator during a period of marked achievements in enforcement results.
- Clementina L. Mazzotta, who has dedicated herself to the Commonwealth and the Division for 60 years.

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Consumer Bill of Rights

The concept of professional regulation serving the public interest is summarized in the "Consumer Bill of Rights," first articulated by President Kennedy in 1960:

- **The right to safety:** to be protected against the marketing of products and services that are hazardous to health or to life.
- **The right to be informed:** to be protected against fraudulent, deceitful, or grossly misleading information, advertising, labeling, or other practices, and to be given the facts needed to make informed choices.
- **The right to choose:** to have available a variety of products and services at competitive prices.
- **The right to be heard:** to be assured that consumer interests will receive full and sympathetic consideration in making government policy, both through the laws passed by legislators and through regulations passed by administrative bodies.
- **The right to education:** to have access to programs and information that help consumers make better marketplace decisions.
- **The right to redress:** to work with established mechanisms to have problems corrected and to receive compensation for poor service or for products which do not function properly.

Our employees and board members are encouraged to keep these consumer rights in mind when making decisions. Working in the public interest means looking at the issues from the point of view of their impact on the consumers of the service, rather than from the point of view of the licensed professional. We continually examine procedures and decisions to ensure that they encourage openness and accountability, increase public safety, and do not restrict choices available to consumers. We remain vigilant to the dangers of over-regulation in a profession and the impact of licensing on practitioners' fees.

A Message from the Director

His Excellency Governor Mitt Romney

Lieutenant Governor Kerry Healey

Secretary Ranch C. Kimball
Executive Office of Economic Development

Director Beth Lindstrom
Office of Consumer Affairs



Honorable Members of the 184th General Court;

Fiscal Year 2005 was year marked by great success for the Division of Professional Licensure (the Division), including the passage of landmark legislation, implementation of important new policies, record breaking enforcement results, and dramatic operational improvements.

After over 16 years of effort, the Division's Enforcement Bill was signed into law on December 31, 2004 and after 10 years, the Insurance Fraud Bill was signed into law on January 3, 2005. Our many thanks are extended to the legislators, staff, professional and consumer organizations who brought the bill to the Governors desk.

These two major pieces of legislation now situate the Boards and the Division to provide more meaningful consumer protection to the citizens of the Commonwealth. In addition several Board specific laws were also enacted, updating and improving the scope of regulation for the Plumbing and Speech Language Pathology and Audiology professions.

The Division actively participated in the award winning Office of Consumer Affairs regulation weeding project, ensuring that Board regulations were pertinent and accessible to all consumers and licensees. Of particular note is the substantial revision to the state Plumbing Code and the implementation of the Real Estate Agency law changes, which will provide clearer standards for licensees and improved service for consumers.

The enforcement results for fiscal year 2005 represent new highs in virtually all key measures. Disciplinary action increased by 43%, while the average days that a case was open decreased by 35%. Also in fiscal year 2005, the Division embarked on its new enforcement technique of issuing citations for violations in Cosmetology and Barber Shops. The fines collected by these Boards totaled \$162,286 up 35% from their Manual Carballo award winning performance in Fiscal Year 2004. Now that this technique has been authorized for all Boards by the Enforcement Act, the Division plans to expand this practice.

Key operational improvements for the Division in Fiscal Year 2005 came about through the tremendous work of the Computer Services Department. The Division upgraded all computers and software, implemented the new duplicate license database, replaced and standardized printers, added enhancements to the websites, and developed a new application that will be implemented in fiscal year 2006 to make employee access to the database much improved and to offer licensees on-line renewal capacity.

I am, as ever, thrilled to lead this agency and tremendously grateful for the strong support I have received from the Governor and Lieutenant Governor, Director Lindstrom and her team at the Office of Consumer Affairs, the Leadership and members of the 184th General Court, the Volunteer Board Members, the Professional Associations and Consumer Advocacy Groups, and the wonderful staff of the Division of Professional Licensure. The accomplishments described in this Annual Report are directly attributed to this support.

Sincerely,

Anne L. Collins

About the Division

The Division of Professional Licensure is an “umbrella” agency within the Office of Consumer Affairs and Business Regulation. The Division of Professional Licensure is responsible for ensuring the integrity of the licensure process for more than 43 trades and professions regulated by 29 boards of registration, the continual updating of licenses for over 330,000 licensees, and the maintenance of the multiple databases related to licensing, enforcement, and revenue collection. This work is accomplished through the combined efforts of the members of the boards and the staff of board offices, Computer Services, the Accounting Unit, the Office of Legal Counsel, the Office of Prosecutions, the Office of Investigations, and the Administrative Office.

OUR MISSION

The Division works to protect the public welfare by issuing licenses to qualified individuals who provide services to consumers, and through the fair and consistent enforcement of the statutes and regulations of the boards of registration.

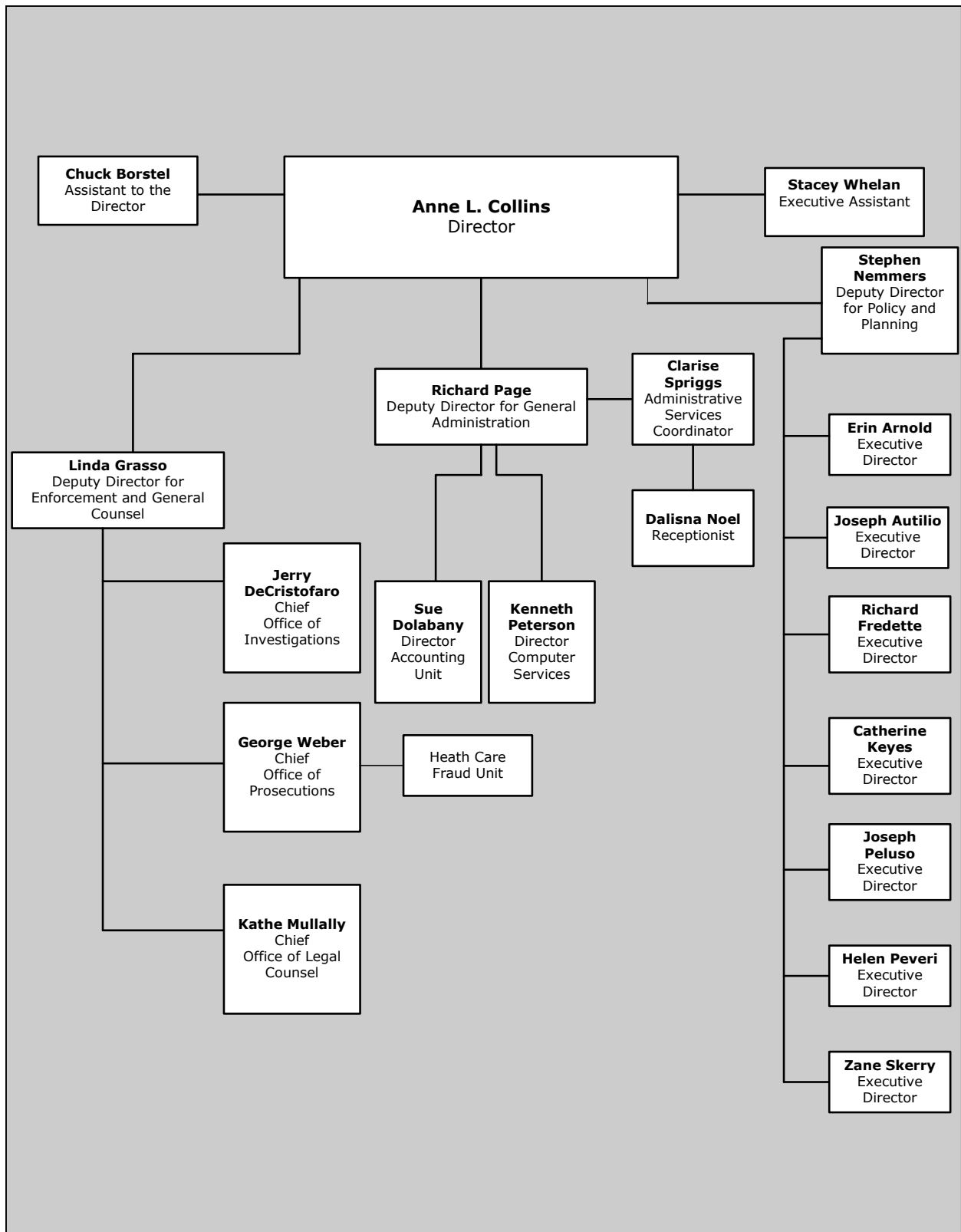
PRINCIPLES AND VALUES

- ◆ We treat customers, as well as one another, with professional courtesy and respect and work to exceed each other’s expectations.
- ◆ We understand that people make mistakes and we help one another overcome obstacles.
- ◆ We foster an atmosphere of trust among staff and customers.
- ◆ We encourage employees to “break from the mold,” to explore new ways of doing things, and learn from one another.
- ◆ We treat customers fairly and consistently according to agreed upon policies and procedures.



In the Spirit of Champions
Employees from the Division celebrate the successes of the
New England Patriots and Boston Red Sox.

Organizational Chart



Achievements

Enforcement

The Division continued its drive to provide improved enforcement and increased its results in many key performance categories. The Division received 2,623 complaints, up 2% from Fiscal Year 2004, closed 2,501 cases, up 8%, and took disciplinary action in 1,186 cases, up 43%. Additionally, the Division has dramatically reduced the length of pending cases by reducing the cycle time for processing complaints. In Fiscal Year 2005, the average age of open cases was 195 days. In Fiscal Year 2004, the average was 300 days. Fines collected are up 50% from Fiscal Year 2005.

Passage of Enforcement Law

On December 31, 2004 Governor Romney signed into Chapter 450 of the Acts of 2004, which gives greater consumer protection powers to the boards by authorizing uniform administrative penalties, standards for discipline, and the ability to prosecute unlicensed professional practice. The new law increases penalties for practicing without a license and authorizes summary suspension in cases of imminent danger to the public.

Board Inspections

In addition to the complaint driven process, Boards have also stepped up enforcement through increased inspections over recent years. Boards such as the Real Estate Brokers and Salespersons, Funeral Directors and Embalmers, and Veterinarians (in conjunction with the Bureau of Animal Health) have used their new powers to help better protect consumers by using random inspections to enforce professional standards.

The **Board of Registration of Real Estate Brokers and Salespersons** inspected 59 real estate establishments, primarily focusing on escrow account auditing. The inspections were performed in several locations throughout the state and yielded excellent results for the consumer. All of the shops were in compliance and were advised on the new law. They were also told to expect random checks on their escrow accounts in the future.

The **Board of Registration of Veterinarians**, in conjunction with the Bureau of Animal Health, the Board issued a strong policy advising veterinarians on the proper level of care when working in pet shops. Board investigators also conducted inspections of 36 pet shops throughout the state. Of the shops inspected, 11 were found to have violations such as expired and improperly stored medication and unsanitary conditions. The investigators issued fines totaling \$1,100.

The **Board of Registration of Embalmers and Funeral Directors** issued notices to 228 funeral establishments who were not in compliance with pre-need funeral regulations. These regulations require funeral homes to disclose to the Board any and all pre-need arrangements made between them and consumers. Of the establishments issued notices, 111 have responded by sending in the required information and paying an administrative penalty. Additionally, 44 have responded and are under review, 22 are out of business, and 51 have not responded at all and face license suspension. To date, the Board has collected \$12,600 in administrative penalties.

Dispensing Opticians Conduct Compliance Sweep

The Board of Registration of Dispensing Opticians conducted a sweep of 40 optical locations in 18 cities and towns across Worcester County. Of the businesses visited, over 70% were found to be in violation of Board rules and regulations, including failure to post licenses, failure to wear identification badges, and improperly documented or undocumented apprentices. This is the second sweep conducted by the Board of Registration of Dispensing Opticians. In 2003, Board investigators inspected businesses across Berkshire, Franklin, Hampden, and Hampshire counties, finding violations in over 60% of those businesses visited.

Achievements

Citation Initiative

The Cosmetology and Barber team formally launched the citation program to streamline the fining process and cut the amount of time needed to review these cases. This pro-active approach provides more broad based consumer protection across the state.

Real Estate Agency Rules

In response to new legislation, the Board of Registration of Real Estate Brokers and Salesmen promulgated new regulations concerning agency relationships, disclosure, and consent. In an effort to harmonize competing interests expressed by various groups, the Board held extensive pre- and post-hearing meetings to include as much input as possible in the final regulation form. A brochure was also created so consumers can read and understand the real estate representation laws and rules more easily. A copy of this brochure is available at <http://www.mass.gov/dpl/boards/re/>.

DPL Begins Licensing Chiropractic Facilities, Governor signs Landmark Legislation



Governor Romney signs the anti-fraud legislation and is accompanied by House Chairman Representative Ron Mariano and chief bill sponsor Senator Susan Tucker

On January 3rd 2005, Governor Romney signed into law Chapter 464 of the Acts of 2004, an anti-fraud statute that affects chiropractors. This statute requires that:

- All chiropractic facilities must be licensed and there must be a chiropractor of record responsible for each facility.
- All facilities are also subject to inspection.
- This important law also authorizes new funding for the Division's Health Care Fraud Unit which will result in a sustained fraud fighting effort.

Outreach

- The Division issued 56 press releases, a 97% increase from Fiscal Year 2004. In addition, the Division sent speakers to functions for the following professions:
- Dietitians and Nutritionists
- Electricians
- Social Workers
- Plumbers
- Chiropractors
- Auto Insurance Claims Adjusters
- Physical Therapists
- Funeral Directors

Consumer Refunds

Five Boards in the Division of Professional Licensure assisted in obtaining refunds for consumers, totaling \$53,039.68, more than doubling the amount refunded in Fiscal Year 2004. The Board of Real Estate Brokers and Salespersons alone aided in refunding of over \$42,000.00.

Manuel Carballo Award Winners

The Cosmetology Team



The Cosmetology Team receives the Manuel Carballo Award at the State House, Pictured From l to r: front row, Linda Grasso, Shawn Croke, Maria Silva, Helen Peveri, Kim Scully, Sandy Rodriquez, Cathy Stec, Patrice Buchanan, Chrisine Garner, Anne L. Collins, back row, l to r, Chris Carroll, Colleen Cavanaugh, Theresa Buckley, Jerry DeCristofaro, Irene Carr, Annie Colleton, Kelly Puccio, Colleen Cotter and Jack Doherty.

The Division of Professional Licensure's Cosmetology Team was awarded the Manuel Carballo Governor's Award for Excellence for the year 2004. This award is given annually to those employees or groups who exemplify the highest standards of public service.

The Cosmetology Team demonstrated exemplary leadership, dedication, and initiative through their increased statewide inspections and new ticketing program. These changes significantly increased productivity, revenue, and reduced backlog and processing time. The Cosmetology Team's success helped build collaboration and teamwork throughout the agency and helped the Division achieve record results.

Congratulations to the Cosmetology Team and the Division on their outstanding work!

Governor Romney and Lieutenant Governor Healey Praises Division

At a press conference in December 2004, Governor Mitt Romney praised the Division of Professional Licensure for its dramatic turnaround in the reduction of disciplinary case backlog and increased number of inspections performed, disciplinary action, and cases resolved.

When Governor Romney took office, the Division faced serious deficiencies that contributed to extensive complaint and disciplinary backlogs. Now, the length of time to resolve a case has declined by nearly 70 percent, with the number of new cases increasing by 90 percent over the previous two fiscal years.



"What this agency has accomplished is an example of what building a more efficient government is all about."

*-Mitt Romney, Governor
December 1, 2004*

General Administration

The general administration of the Division involves providing technical and operational support and direction, coordinating budget and administrative functions, completing capital projects, and providing central accounting and computer services.

Administrative personnel work with Division managers and employees to implement the Division's strategic plan. They review issues and exchange ideas on the daily operation of the Division, improve processes and services, perform general planning, and build a focus on the consumer. This teamwork helps to remove barriers and accomplish common goals.

COMPUTER SERVICES DEPARTMENT

Computer Services acts as the Division's liaison to the State's Information Technologies Division (ITD), lock box vendor, testing companies, and other vendors. It develops and maintains license renewal applications, produces licenses, and maintains more than 1,100,000 license records. Computer Services establishes production schedules to coordinate the smooth flow of license and renewal production and records maintenance and acceptance of testing information. It works closely with the Accounting Unit to electronically process fee collection information. The Computer Services Department is comprised of three units – Network Services, Electronic Data Processing Services and Web Services. A description of the services provided by each unit follows:

Network Services Unit is charged with maintaining the Division's information technology and telecommunications systems. Network Services manages the information technology needs within the Division by developing information systems and providing support for the Agency's Windows 2003 Active Directory Network and desktop applications. It is also responsible for ensuring that electronic licensee records are secure and that Division employees have continuous access to resources that protect consumers and serve the licensees of the Commonwealth.



Gerry Galvin oversees the EDP Unit for the Division.

Electronic Data Processing Services Unit (EDP)

is responsible for maintaining the electronic records of Division licensees. Responsibilities include processing over 200,000 renewals, 3,000 new licenses, and 75,000 record changes per year. Additionally, Data Processing is responsible for fulfilling hundreds of

requests for public information about licensees.

Web Services Unit is responsible for maintaining the Division's Internet and Intranet site. Web Services publishes daily updates to the Web sites and ensures that licensee information posted to the Web site is accurate and up to date.

Computer Services Accomplishments

- Replaced 11 printers and all PC's and computer monitors in the Division.
- Assisted in the DPL/DPH office move.
- Provided numerous training classes for new computer software systems.
- Began development of Online Application Self Service Information System.
- Implemented new Records Disposal Schedule and destroyed 11 years worth of unnecessary records.
- Processed 1,500 Public Information Requests, a 23% increase over FY04 and approximately a 60% increase over Fiscal Year 2003.
- Instituted new disciplinary action data entry process.
- Developed online application for licensing Chiropractic businesses.
- Developed online pre-need contract for Funeral Board.

OASSIS – Online Application Self Service Information System – In Fiscal Year 2005 the Division began a project to improve its licensing and complaint systems. The project, called OASSIS, will allow internal users to maintain licenses and complaints more efficiently. The second phase will allow licensees to securely renew their licenses online or over the telephone with a credit card, debit card, or electronic funds transfer from their checking account. Much of the development of the first two phases occurred in Fiscal Year 2005. Both phases will be implemented in early Fiscal Year 2006.

Infrastructure Upgrades – The following upgrades were done to the networking infrastructure this past fiscal year: all computers were upgraded to Windows XP; all office systems were upgraded to Microsoft Office 2003; core servers were upgraded to Windows 2003; 11 printers were replaced; the connection to the internet was increased from 1.5mbps to 5mbps, backup software was upgraded; and, anti-virus software was upgraded.

Public Information Requests – In Fiscal Year 2005, the Division began providing Microsoft Access databases containing publicly available information to requestors. The system replaced a very expensive, extremely time and resource consuming, problem laden process. As a result of the new process, this past fiscal year, the agency drastically reduced the cost for providing requests for public information. The reduced cost led to a 125% increase in requests for information while reducing complaints, requests for support, and the amount of time to complete requests to minimal levels. The information is provided in user friendly, step driven databases that allow requestors to filter the data as they need it and to output the results to a list, labels, Microsoft Excel worksheet, or text file. Consumer feedback has been tremendously favorable for this new low cost system.

Intranet – The Division redesigned its Intranet site this year, making it more accessible, employee-friendly and content-rich. The site features a continually updated calendar, Division and State policies, glossaries of Division-specific terms and codes, forms and news items. This initiative assists Division staff by enhancing the cooperative community spirit among employees and serving as a central location where critical information may be accessed. It was designed to increase employee productivity by providing a single, paperless repository of all necessary research information and forms commonly used by employees. It has also been used to reduce agency costs by including links to reference sites that have reduced employee use of 411 calls, and decreased returned mail by linking to the US Post Office site to provide correct zip codes.

Internet – The Division implemented a number of new or enhanced services on its Web site in Fiscal Year 2005. For the first time, the Division enabled an online application for licensure by allowing chiropractic facilities to apply for initial licensure online. The Division published a pre-need form for the general public to complete when pre-arranging funeral services. An application for Optometrists to provide their office affiliations was published. The ability for electricians and fire alarm installers to look up their Continuing Education Credit status was implemented. An Application that allows vendors to submit products to be approved by the Plumbers and Gasfitters Board was implemented. An enhanced application that allows for public comments to Division regulation changes was implemented. Improvements were made to the on-line change of address application. The Division published the new Plumbing regulations, consisting of over 600 pages of updated and changed regulations on its web site. In addition, more forms were made available in PDF format to assist licensees and consumers in making filings with the agency.

General Administration

Licensing Improvements – The Computer Services Department worked with the Funeral Directors and Embalmers Board to improve consumer access to the listings of licensed Funeral Establishments on the Division Licensing and Complaints systems and web site. Renewal coupons sent to licensees were modified to reduce the number of renewals that needed to be returned to licensees for errors. A new database was developed to print duplicate renewals for licensees who did not receive or who had misplaced their application for renewal. The new database dramatically cut the time it takes to process these requests.

ACCOUNTING UNIT

The Accounting Unit performs all revenue functions for the 29 Boards of Registration within the Division of Professional Licensure, as well as the 7 Boards of Registration that are now being overseen by the Department of Public Health, a total of 36 Boards. Individual Boards must record revenue, and each Board has two revenue accounts: Lockbox Revenue, which primarily consists of license renewal fees, and Over-the-Counter (OTC) Revenue, which includes application fees, original license fees and miscellaneous fees. The total estimated revenue ranges between 14 and 19 million dollars annually. These figures include both General Fund and Trust Fund revenue. There is one MMARS Trust Fund revenue account for all Boards. (MMARS is the statewide electronic accounting system).

The Division contracts with Bank of America using a "lockbox" system to process all license renewal applications and revenue received from renewals for the 36 Boards of Registration. The annual revenue deposited and processed through the lockbox ranges from \$11 million to \$16 million. Approximately 200,000 to 220,000 coupons are processed annually. Renewal coupons are printed and mailed monthly, the volume ranging from 8,000 to 47,000 per month. The lockbox system enables the Division to update the licensee database and revenue information within 24 hours.



Accounting Unit Accomplishments

- The Accounting Unit promulgated the updated Chiropractor Board fee schedule to include the new type class of license as part of the implementation of the Insurance Fraud Act. Fiscal Services also implemented the collection process for the new fees for Chiropractic Facilities. The new law authorized 100% retention of the facility fees to the Division's Trust Fund. All accounting ledgers were updated with the correct fee collection information for proper tracking and transfer of funds to the Division Trust Fund. Also, the Allied Health Board fee schedule and accounting ledgers will soon be updated with the new facility type class of license information in fiscal year '06.
- The Accounting Unit established Administrative Penalty Revenue Accounts in MMARS and set up DPL accounting ledgers to properly track and allocate Trust Fund Administrative Penalties for the Boards of Registration effective March 29, 2005. As part of the Enforcement Implementation Team, Fiscal Services staff gathered information and set up cash receipt ledgers for the 20% revenue retention of all administrative penalties imposed by the Boards of Registration. All financial documents for administrative penalties revenue were completed to track and balance the revenue, both general fund portion and trust fund portion, for each of the 29 Boards.

Revenue Collection by Board

Directors Account (Misc.)	\$95,207.88
Allied Health	\$97,559.00
Allied Mental Health	\$86,684.00
Architects	\$786,311.00
Barbers	\$90,006.00
Chiropractors	\$320,775.00
Cosmetologists	\$2,917,523.51
Dietitians and Nutritionists	\$60,482.00
Dispensing Opticians	\$77,201.27
Operators of Drinking Water Facilities	\$22,411.00
Electricians and Alarm Systems	\$1,265,561.50
Electrologists	\$33,428.00
Embalmers/Funeral Service	\$234,242.00
Engineers and Land Surveyors	\$207,608.00
Health Officers	\$8,662.00
Hearing Instrument Specialists	\$18,521.00
Home Inspectors	\$35,230.00
Landscape Architects	\$49,581.00
Optometrists	\$95,385.00
Plumbers and Gas Fitters	\$425,598.50
Podiatrists	\$47,159.00
Psychologists	\$145,782.00
Public Accountants	\$1,248,304.00
Radio/TV Technicians	\$32,750.00
Real Estate Brokers and Salespersons	\$4,395,483.00
Real Estate Appraisers	\$631,833.00
Sanitarians	\$24,352.00
Social Workers	\$1,369,112.00
Speech-Language/Audiology	\$26,734.00
Veterinarians	\$272,939.00
All DPL Boards	\$44,700.00
TOTAL	\$15,167,125.66

Licenses by Board

Board	2004	2005	diff	%diff
Allied Health	18,117	19,034	+917	+5%
Allied Mental Health	5,345	5,645	+300	+5%
Architects	6,408	6,010	-398	-6%
Barbers and Shops	5,352	5,931	+579	+10%
Chiropractors	1,899	1,977	+78	+4%
Cosmetologists and Shops	62,599	64,383	+1,784	+3%
Dietitians and Nutritionists	2,265	1,995	-270	-12%
Dispensing Opticians	1,878	1,820	-58	-3%
Drinking Water Facilities	4,315	4,608	+293	+6%
Electricians and Alarm Systems	35,992	34,591	-1,401	-4%
Electrologists	816	842	+26	+3%
Embalmers/Funeral Service	2,639	2,608	-31	-1%
Engineers and Land Surveyors	15,534	16,410	+876	+5%
Health Officers	132	125	-7	-5%
Hearing Instrument Specialists	152	143	-9	-5%
Home Inspectors	456	556	+100	+18%
Landscape Architects	817	796	-21	-3%
Optometrists	1,465	1,483	+18	+1%
Plumbers and Gas Fitters	25,394	27,885	+2,491	+9%
Podiatrists	580	575	-5	-1%
Psychologists	4,889	5,132	+243	+5%
Public Accountants	13,153	14,163	+1,010	+7%
Radio/TV Technicians	1,378	1,269	-109	-8%
R.E Brokers and Salespersons	77,933	81,893	+3,960	+5%
Real Estate Appraisers	4,676	4,818	+142	+3%
Sanitarians	408	401	-7	-2%
Speech-Language/Audiology	4,241	4,531	+290	+6%
Social Workers	21,054	20,094	-960	-5%
Veterinarians	2,622	2,589	-33	-1%
Total	322,509	332,307	9,798	+3%

Consumer Outreach and Communications

PRESS RELEASES



The Division issued 56 press releases highlighting disciplinary actions by the Boards. Copies of the press releases can be found on the website at www.mass.gov/dpl/press.htm. In addition to disciplinary press releases, the Division also issued releases when the Boards adopted new rules and regulations or issued advisories to keep the public and licensees aware of important issues and changes.

SPEAKERS BUREAU

Consumer organizations, schools, government agencies, professional organizations, and interest groups can request that a representative from the Division address an upcoming seminar, dinner, meeting, or other event. The Division offers a host of professionals prepared to speak on numerous subjects of concern to consumers involving the Boards of Registration and the licensed professionals. More information and a Speaker Request Form are available on the Division's website at www.mass.gov/dpl/consumer/speakersbureau.htm.

CONSUMER TIPS

Each month, the Division updates the website with a "Consumer Tip of the Month," which allows the Boards to impart their expertise to the consumer throughout the calendar year. Many of the tips are topical and pertinent for the particular time of year. To view the "Consumer Tip of the Month," go to www.mass.gov/dpl/current/tip/tipintro.htm. Topics covered this fiscal year included, "Landscape Architecture and the Big Dig," "Keeping Your Pet Safe During Halloween," and "Protecting Yourself at the Nail Salon".



Rick Paris, Mark DuVerger, Rich Fredette, Tamara Smith, Dolores Powers and Frantzie Luc attend a conference representing the Commonwealth and the Division on behalf of the Electrician Board.

CHECK A LICENSE

Licensing of professions serves both to protect and benefit consumers. Professional licensure ensures that a license holder has met certain minimum requirements, usually education, experience, and examination, for competent practice of that profession. Licensing holds that professional to certain standards of practice and levels of experience and ethics. To maintain a license, these practitioners must continue to adhere to ethical guidelines, standards of practice, educational requirements, and regulations pertaining to their professions. Consumers can check the status of a practitioner's license and whether or not have been issued any disciplinary action by visiting the Division's website at www.mass.gov/dpl and selecting the "Check a License" option.

Enforcement



Linda Grasso, Deputy Director of Enforcement and General Counsel has overseen another record breaking year in enforcement.

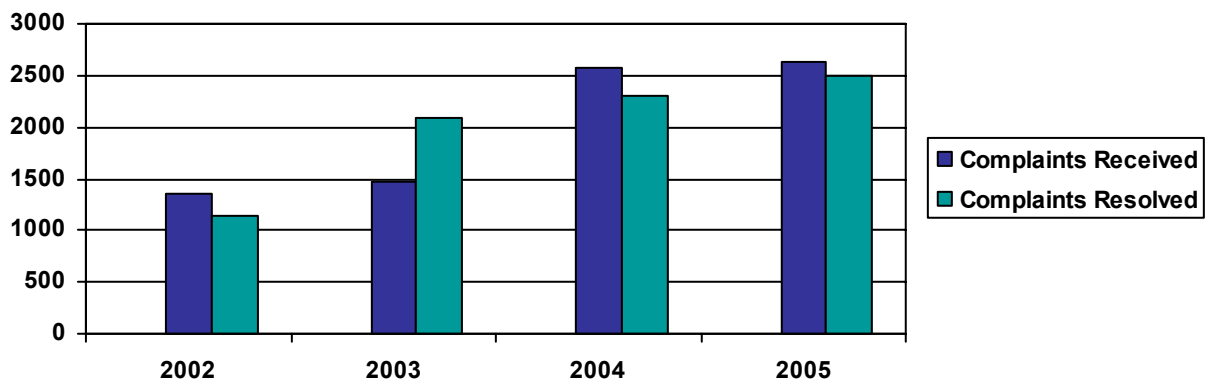
Enforcement of the statutes and regulations governing the practice of the professions regulated by the Boards is conducted by the Office of Investigations, Office of Legal Counsel, and the Office of Prosecutions.

The members of the Enforcement Units assure that the public is protected by assisting the boards in identifying and investigating professional misconduct, settling consumer complaints, and imposing discipline on unethical, incompetent, or unprofessional licensees.

The Enforcement staff also work with other law enforcement and regulatory agencies to ensure a comprehensive approach is taken in protecting the public.

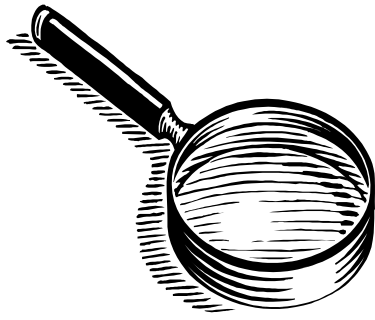
Complaints Received and Resolved Fiscal Years 2002 through 2005

	FY02	FY03	FY04	FY05
Complaints Received	1,348	1,480	2,567	2,623
Complaints Resolved	1,140	2,094	2,306	2,501
Disciplinary Actions	387	663	829	1,186
Inspections	3,987	4,511	6,411	4,424
Licensees Fined	53	47	554	829



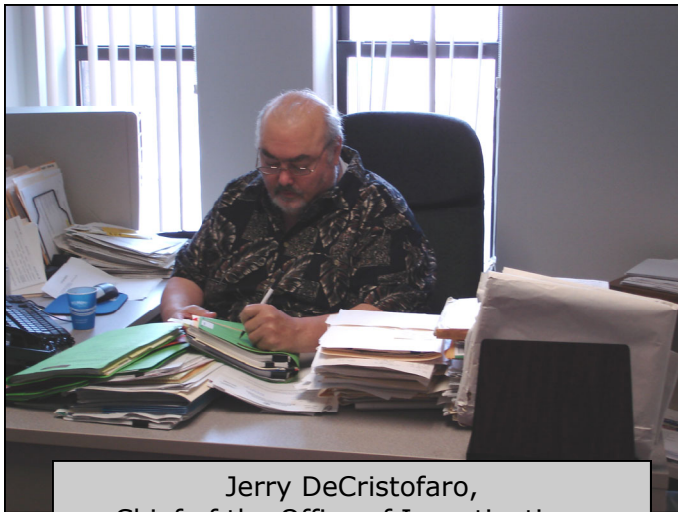
Enforcement

OFFICE OF INVESTIGATIONS



The Office of Investigations provides the Division's front line of consumer protection. The formal consumer complaint process is initiated with this office. Investigators handle hundreds of telephone calls per week, assisting consumers in determining the disciplinary status of licensees, filing complaints, resolving disputes, pursuing legal redress in the courts, and filling requests for public information.

They also respond to the questions and problems of licensees, attorneys, and representatives of various state agencies. The office conducts investigations into allegations of professional misconduct and inspections of business premises licensed by the boards.



Jerry DeCristofaro,
Chief of the Office of Investigations

Office of Investigations Accomplishments

- DPL Intake Coordinator Shawn Croke and Investigator Ann Marie Staunton received Certificates of Appreciation from the Boston Police Department while working with the Boston Police on a Cosmetology investigation.
- The Funeral Investigator inspected over 286 funeral homes.
- With the enactment of the enforcement bill in March 2005, the Office of Investigations began to aggressively and successfully pursue unlicensed practice and work on these matter with the Division of Professional Licensure, Office of Prosecutions, Office of the Attorney General and Courts throughout the Commonwealth.
- The Office of Investigations conducted investigatory sweeps throughout the Commonwealth of Massachusetts focusing on real estate escrow accounts and general real estate office compliance, the cosmetology industry, pet shops (in conjunction with the Department of Agriculture), and veterinary clinics. During these sweeps, civil administrative penalties were levied.

Enforcement



Chief Counsel Kathe Mullaly discusses rules and regulations with Board Counsel Stephanie Zierten and Assistant Executive Director of the Plumbing Board Norman St. Hillaire.

OFFICE OF LEGAL COUNSEL

The Office of Legal Counsel serves two basic functions:

The administrative Board Counsel assists the Boards of Registration in developing policy and promulgating regulations. They also advise the boards on legal issues relating to the practice of regulated professions and administrative law, including the Open Public Meetings Law, the Public Records Law, drafting of minutes, state ethics law, board policies and court decisions that affect board practices, and de-

Board Counsel Accomplishments

- Created uniform language for Boards to use when entering into executive session, investigatory conferences or settlement conferences.
- Trained and advised Board staff on requirements of public records law and laws preventing the disclosure of certain public records.
- Advised boards of registration and agency regarding drafting and promulgation of regulations.
- Drafted numerous consent and probationary licensure agreements prior to being forwarded to the Office of Prosecutions to quickly and efficiently resolve disciplinary matters without causing backlog.
- Consulted with the Attorney General's office on multiple cases pending before the Superior Court and the Supreme Judicial Court on behalf of a number of Boards.

cision-making. In addition, they counsel draft and analyze proposed legislation affecting the boards, advise the boards and the agency on disciplinary matters and the conduct of adjudicatory hearings, consult with other legal counsel and agency officials regarding the appeal of board decisions to the courts, provide legal counsel regarding agency and board contracts and procurements, facilitate improvement in agency processes, work product and outreach, and work with representatives of other governmental agencies at the local, state and federal level to identify and resolve issues of common concern, such as carbon monoxide poisoning and insurance fraud.

Hearings Counsel advise the Boards in conduct of adjudication hearings, conduct Hearings Counsel pre-hearing conferences for the purpose of identifying the factual and legal issues in a case and the witnesses and evidence to be presented to the boards, and preside at formal adjudicatory hearings during which they make evidentiary, procedural and legal rulings and may question witnesses to clarify testimony or provide the boards with necessary information. Following the adjudicatory hearings, Hearings Counsel also prepare Findings of Fact and Conclusions of Law and Tentative Decisions for consideration by the Boards.

Hearings Counsel Accomplishments

- One of the oldest matters in the Division was settled by consent agreement after the Chiropractic Board granted summary decision in the favor of the prosecution, bringing to a close a lengthy and highly contested matter.
- The Hearings Counsel closed 211 cases, including 93 consent agreements, 34 voluntary dismissals, 4 voluntary surrenders, 50 default decisions, 14 final decisions/sanctions, and collected 36 administrative penalties.

Enforcement



OFFICE OF PROSECUTIONS

The Office of Prosecutions prosecutes disciplinary cases against licensees before the Boards. During Fiscal Year 2005, the Office closed 318 cases involving discipline of licensees. The Office of Prosecution also prosecutes individuals practicing without appropriate licensure.

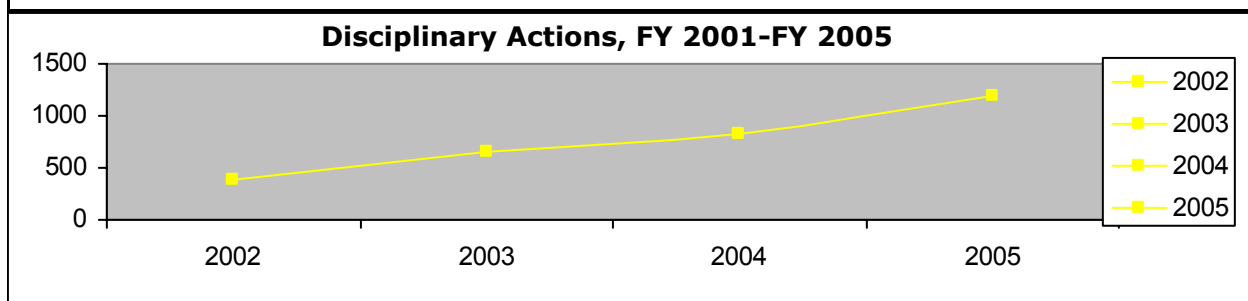
The Office of Prosecutions includes a **Health Care Fraud Unit** (the "HCFU"). The HCFU participates in a referral network with law enforcement agencies as well as private insurance companies. It also prosecutes licensees for health care related misconduct and serves as an educational resource to public and private individuals and organizations through presentation of seminars on health care fraud.

The HCFU was significantly expanded during Fiscal Year 2005, adding a new dedicated prosecutor, an experienced health care fraud investigator, and an administrative assistant. As a result, during Fiscal Year 2005, the HCFU was able to discipline 21 individuals, a 33%

There was a 43% increase in the number of disciplinary actions taken by the boards, an 8% increase in the total number of complaints resolved and a 2% increase in the number of complaints received when compared to fiscal year 2004.

Overall, the boards issued 14 formal reprimands and warnings, 184 suspensions and stayed suspensions, 51 probations and 92 revocations. The boards accepted 14 voluntary license surrenders.

Disciplinary Actions					
Action	2001	2002	2003	2004	2005
Reprimands	2	5	59	2	14
Voluntary Surrenders	59	12	32	18	14
Censure	1	21	1	13	2
Suspensions & Stayed Suspensions	34	228	310	121	184
Probations	98	56	84	69	51
Revocations	36	12	130	52	92
Licenses Fined	87	53	47	554	829
Total	317	387	662	829	1186



Inspections

According to statute, agents of the Division's Office of Investigations are authorized to inspect various aspects of businesses run by professionals who are licensed by the boards of registration. Investigators perform inspections either routinely or as part of the investigation of complaints.

Many consumers who are dissatisfied with services provided by licensees have received refunds or financial settlements from licensees due to the efforts of the personnel. Refunds include deposits made on homes, cost of eye glasses, electrical and plumbing work and deposit money for prearranged funerals.

Inspections: General

Board	Inspections	Licenses Checked
Barbers	732	1,787
Cosmetology	3,156	8,021
Dispensing Opticians	67	14
Electrology	17	17
Embalming/Funeral	225	281
Optometry	28	56
Plumbers/Gas Fitters	15	340
R.E Brokers/Salespersons	148	2,015
Veterinary Clinics	33	38
TOTAL	4,424	12,695

Inspections: New Offices or Shops

Board	Inspections
Barbers	134
Cosmetology	1,256
Electrology	1
Optometry	17
TOTAL	1,408

Fines and Refunds

In Fiscal Year 2005, the Office of Investigations received 2,623 formal complaints. Investigators inspected 4,424 businesses, checking 12,695 licenses. They negotiated more than \$53,000 in refunds or financial settlements on behalf of customers, up over 100% from fiscal year '04. Eight boards imposed a total of \$173,850 in administrative penalties, up over 35% from fiscal year '04.

Board	Penalties	Refund
Barber and Shops	\$ 16,300	-
CPA	\$ 1,000	\$ 3,500
Chiropractors	\$ 2,500	
Cosmetology and Shops	\$ 138,100	\$ 210
Electricians	-	\$ 6,275
Embalmers	\$ 12,600	\$ 567
Home Inspectors	\$ 6,625	-
Real Estate Appraisers	\$ 3,000	-
Real Estate Brokers	-	\$ 42,487
Veterinarians	\$ 1,100	-
TOTAL	\$ 189,111	\$ 53,039.68

Complaints

Board	Received	Resolved*
Allied Health	28	38
Allied Mental Health	14	15
Architects	119	119
Barbers	64	50
Shops	106	76
Chiropractors	46	62
Cosmetologists	285	237
Shops	508	476
Dietitians and Nutritionists	1	1
Dispensing Opticians	7	7
Operators of Drinking Water Facilities	4	4
Electricians and Alarm Systems	355	358
Electrologists	0	2
Embalmers/Funeral Service	290	246
Funeral Establishments	7	4
Engineers and Land Surveyors	35	33
Health Officers	0	0
Hearing Instrument Specialists	8	6
Home Inspectors	32	42
Landscape Architects	1	1
Optometrists	15	12
Plumbers and Gas Fitters	131	109
Podiatrists	9	17
Psychologists	70	35
Public Accountants	37	34
Radio/TV Technicians	2	2
Real Estate Brokers and Salespersons	304	371
Real Estate Appraisers	24	22
Sanitarians	0	3
Social Workers	39	27
Speech-Language/Audiology	4	1
Veterinarians	78	91
Total	2,623	2,501

* includes resolution of complaints received in a previous fiscal year

Employee Performance Recognition



OASSIS Team

Steve Nemmers, Ric Page, Theresa Buckley, Ken Peterson, Alex Borre, Arthur Chidlovski, Milan Demel, George Ulrich Pictured with Beth Lindstrom, Director OCA and Anne L. Collins, Director DPL.

The OASSIS Team includes representation from all areas of the Division and works to overcome the challenge of integrating agency data that will help employees and consumers do business more easily and efficiently with the Division. The team has overcome many technical hurdles and has produced an excellent result at a very low cost to the Commonwealth and a great benefit to the public. This project required a tremendous commitment of time, patience, and teamwork. Thanks to their effort, DPL will pilot the online renewal of licenses in Fiscal Year 2006.

Nominees



Theresa Buckley
Office of Investigation



Arthur Chidlovski
Computer Services



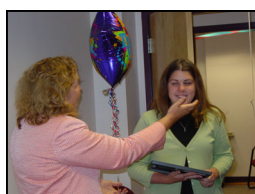
Chiropractic
Facility Licensing
Team



Milan Demel
Computer Services



Colleen DiGirolamo
Real Estate Board



Deborah Milliken
Engineer Board



George Weber
Office of Prosecutors



Stephanie Zierten
Legal Unit

Not pictured: Joseph LaFrazia, Jennifer Murphy, Tamara Smith, Cheryl Yebba

Employee Performance Recognition

The Commonwealth's Performance Recognition Award recognizes those employees who demonstrate exemplary work performance for achieving a more effective and conscientious government.

The following employees receiving the Performance Recognition Award were nominated by their co-workers. Each nomination is reviewed by a selection team composed of Division employees. Nomination and selection are based on the employee's ability to act as a part of a team working toward achieving the Division's objectives and a demonstrated commitment to improving the Division's customer focus.

John Bresnahan serves as a compliance officer for the Board of Registration of Funeral Directors and Embalmers. While at DPL, John has inspected over 700 funeral establishments and uncovered abuses in the areas of pre-need monies, failure to meet professional standards and the proper administration of crematory services by licensees. Additionally, John has handled and investigated several high profile cases and worked in conjunction with the New Hampshire and Massachusetts State Police. John always has a positive and professional attitude and is highly respected by his coworkers, the Board of Funeral Directors and Embalmers, and funeral professionals.



**Director Beth Lindstrom,
Compliance Office John
Bresnahan and Director
Anne Collins**

Rick Paris serves as a compliance officer for the Board of State Examiners of Electricians, handling over 450 cases in Fiscal Year 2005. Rick also was of great assistance during the agency-wide move. Rick is always going above the call of duty and is willing to lend assistance to anyone who needs a helping hand. He is hard working and dedicated to protecting the public safety of consumers.



**Director Beth Lindstrom,
Compliance Office Rick
Paris and Director Anne
Collins**

Boards of Registration

Each Board of Registration is separately established by its own enabling legislation. Boards of Registration have been in existence since 1885 and, in general, have the following duties:



- Evaluate the qualifications of applicants for licensure.
 - Grant licenses to those who qualify.
 - Establish rules and regulations that ensure proper standards of ethics and practice for licensees.
 - Take appropriate disciplinary action against those whose conduct does not meet the accepted standards of the profession.
 - Hold informational public hearings to determine appropriate standards of practice.
- Update rules and regulations and examination procedures to keep standards appropriate over time.
 - Review consumer complaints and remove incompetent and unethical licensees from practice, obtain relief for consumers, and provide guidance for other actions.
 - Perform inspections of facilities under their jurisdiction to ensure safe and appropriate operations.

The 29 Boards of Registration within the Division govern more than 43 trades and professions. General provisions applying to most Boards of Registration are set forth in Massachusetts General Laws chapters 13 and 112 and Code of the Massachusetts Regulations. Board members are licensed professionals as well as members of the public who are appointed by the Governor and serve as volunteers. Upon appointment to a specific term as provided in the General Laws, Board members take an oath of office and become “public officers”.

There are 178 volunteer Board members who make up the Boards. Boards generally meet once per month or as needed to carry out their duties.

Allied Mental Health Professionals



Creation of Board

G.L. chapter 13, sections 88 to 90

Rules and Regulations

233 CMR 2.00-9.00

Licensing Provisions

G.L. chapter 112, sections 163-172

Board Members

Lisa Taleghani, LRC,
Chair

Lisa Matrondola, LRC, LMHC,
Member

Marigold Louis, LEP,
Member

Gordon Benson, LMFT,
Member

Suzanne Greenberg,
Public Member

Teresa Davis, LEP,
Member

Frederick Brustman,
Public Member

Michael Vickers, LMFT,
Member

Ronald Wozniak, LMHC,
CCMHC,
Member

Jill Ritchie, LMHC,
Member

The Board of Registration of Allied Mental Health and Human Services Professions

Allied Mental Health and Human Services Professionals encompass the fields of mental health counseling, marriage and family therapy, rehabilitation counseling, and educational psychology.

Licensed Mental health counselors render professional services to individuals, families, and groups. They apply principles, methods and theories of counseling and psychotherapeutic techniques to define goals and to develop a treatment plan of action aimed towards the prevention, treatment, and resolution of mental and emotional dysfunction and intra- or interpersonal disorders in persons diagnosed as nonpsychotic. They may engage in psychotherapy of a nonmedical nature, utilizing supervision when appropriate, and making referrals to other psychiatric, psychological, or medical resources when the individual is diagnosed as psychotic.

Licensed marriage and family therapists apply principles, methods and therapeutic techniques to individuals, family groups, couples, and organizations for the purpose of resolving emotional conflicts, modifying perceptions and behavior, enhancing communication and understanding among all family members, and the prevention of family and individual crises. Individual marriage and family therapists may also engage in psychotherapy of a nonmedical nature with appropriate referrals to psychiatric resources and research and teaching in the overall field of human development and interpersonal relationships.

Licensed rehabilitation counselors apply principles, methods, and therapeutic techniques of their profession such as client assessment, job analysis, vocational assessment, counseling, and job development. Rehabilitation counselors work to maximize or restore the capacities of physically or mentally handicapped individuals for self-sufficiency and independent living, including vocational and social functioning, and to create conditions favorable to this goal.

The objectives of rehabilitation counseling are to assist individuals, families or groups. Counselors serve an advocacy role with communities or groups toward the provision or implementation or rehabilitation, services, research, and teaching in the field of rehabilitation counselor education.

An educational psychologist provides professional services to individuals, groups, organizations, and the public. These services include applying psychological principles, methods, and procedures in the delivery of services to individuals, groups, families, educational institutions, and staff and community agencies for the purpose of promoting mental health and facilitating learning. The services may be preventive, developmental, or remedial and include psychological and psycho educational assessment, therapeutic intervention, program planning, and evaluation, research, teaching in the field of educational psychology, consultation, and referral to other psychiatric, psychological, medical, and educational resources when necessary.

Continued

Allied Mental Health

The Board of Allied Mental Health and Human Services Professions licenses candidates who meet the statutory and regulatory requirements developed for the rehabilitation counselors, mental health counselors, marriage and family therapists, and educational psychologists.

In carrying out its mission, the Board administers and enforces the regulations related to the educational criteria necessary for a person to be licensed and contracts with test vendors to provide the licensing examinations. Of equal importance, the Board seeks to protect consumers by exercising its authority to discipline those licensed individuals.

Facts and Figures

The Board of Registration of Allied Mental Health Professionals licenses approximately 5,646 allied mental health professionals throughout the Commonwealth. In Fiscal Year 2005, the Board received 14 new complaints and resolved 15 complaints from this and previous fiscal years. The Board held one investigative conference and accepted the voluntary surrender of two licenses.

Accomplishments

- The Board has been working with the graduate schools to clarify the new regulations and requirements that affect the LMHC applicants for licensure. There is a requirement of two year's experience for LMHCs, and so the Board has been coordinating with the schools to ensure that their programs fall in line with the new requirements for their students who will be applying in two years. Frequent communication with schools/universities that have graduate programs will hopefully make the licensure process smoother for future applicants.
- In light of the regulations that were promulgated in 2003, the Board continues to address interpretative issues that arise. They have put a great deal of time and energy into documenting the precedents that they set, and the intended interpretations of the regulations. An example of this, is that the Board clarified the Licensed Mental Health Counselor regulation for an approved supervisor's experience to be five years Post "Graduate" not Post "License".

Awards

- At the November 2004 meeting, the Board gave recognition to Board member Gordon Benson who was recently recognized and awarded by the American Association of Marriage and Family Therapists.

Rules and Regulations

- As of July 1, 2004, the new regulations took effect making it mandatory that all applicants demonstrate a minimum of 50 hours of clinical supervision from an LMHC in order to become licensed. This was increased from the former 25 hour requirement. The Board strongly felt that it was important for licensees to have direct supervision from an LMHC and to have exposure to the techniques, skills, and ethical guidance unique to the Licensed Mental Health Counselor model.

Continued

- The Board voted to adopt as Policy acceptance of the National Exams for Marriage & Family Therapy and Educational Psychologist no more than five years old. This policy was adopted to ensure that applicants have met the standards measured in the exam, within a reasonable period of time.

Future Issues

- The American Association of State Counseling Boards (AASCB) is proposing a portability program that would allow applicants to register their education and experience credential with them and that they would be eligible to become licensed in various states. The Board sees strengths and weaknesses with this proposal and has opened up communication with this association to learn more and identify how it can be of assistance to the Massachusetts Board. If approved, the process would be much faster for Massachusetts applicants seeking licensure.
- The Board hopes to work with other mental health Boards and the Division to close the gap for unlicensed practice of mental health counseling. The Board acknowledges that the terms counselor, therapist, life coach, etc. are unregulated terms and may cause a great deal of ambiguity for the public. They hope to bring light upon this issue with the intent of better serving the consumers of Massachusetts.

Architects



Creation of Board

G.L. chapter 13, sections 44A to 44D

Rules and Regulations

231 CMR 2.00-4.00

Licensing Provisions

G.L. chapter 112, sections 60A-60O

Board Members

Douglas Engebretson,

Chair

John Miller,

Vice Chair

Vito Caolo,

Secretary Treasury

Peter Steffian,

Member

Rogina L. Jeffries,

Public Member

The Board of Registration of Architects

Architects provide professional services in connection with the design, construction, enlargement or alteration of buildings including consultations, investigations, evaluations, preliminary studies, aesthetic design, the preparation of plans, specifications and contract documents, the coordination of structural and mechanical design and site development, administration of construction contracts and any other similar services or combination of services in connection with the design and construction of buildings.

The Board of Registration of Architects protects the public through regulation of the practice and the title of Architect in the Commonwealth of Massachusetts in accordance with the statutes. The Board establishes the conditions and qualifications required for architectural registration and determines eligibility for admission to examinations. It investigates complaints of possible violations of the laws applying to the practice of architecture and takes appropriate disciplinary action against registrants found to have violated its regulations.

Facts and Figures

The Board of Registration of Architects licenses approximately 6,010 architects throughout the Commonwealth. In Fiscal Year 2005, the Board received 119 complaints and resolved 119 complaints from this and previous fiscal years.

Accomplishments

- The Board fully implemented the continuing education and auditing process.
- The entire Board participated in a mock trial at Roger Williams University in Rhode Island on May 11, 2005.
- The Board staff represented the Board at the Annual Member Board Executives (MBE) Fall Conference in November 2004.

Awards

- Peter Steffian received the President's Medal for creating the NCARB prize for the creative Integration of Practice in the Academy.

Future Issues

- The Board would like to establish an Emeritus status.

Barbers



The Board of Registration of Barbers

Barbers provide haircutting, hairstyling, facial shaving, permanent waving, hair coloring, and facial services to the general public, but primarily to men.

The Board of Registration of Barbers protects the public through regulation of barbering in the Commonwealth. The Board oversees all barbers, barber shops, and barber schools licensed in the state.

Creation of Board

G.L. chapter 13, sections 39 to 41

Rules and Regulations

233 CMR 2.00-4.00

Licensing Provisions

G.L. chapter 112, sections 89-97

Board Members

Robert Yesue,

Chair

Jahnnie Robinson,

Member

Nancy West,

Member

Facts and Figures

The Board of Registration and Barbers licenses approximately 5,971 barbers and barber shops throughout the Commonwealth. In Fiscal Year 2005, the Board received 170 complaints and resolved 126 complaints from this and previous fiscal years. The Board held four hearings, suspended 12 licenses, and issued 83 fines totaling \$16,300.00.

Accomplishments

- Implemented citation program
- Drafted regulations

Rules and Regulations

- A subcommittee of educators and barbers in the field have met twice and will continue to do so until the regulations are ready to promulgate.

Special Recognition

- The Board recognized the dedication of their barber investigator John Vendeti. John has served the board and the barber industry for over 35 years.

Future Issues

- Increased scrutiny of unlicensed practice.

Allied Health Professionals



The Board of Registration of Allied Health Professionals

The professions regulated by the Board of Registration of Allied Health are occupational therapists and assistants, athletic trainers, and physical therapists and assistants. Occupational therapists are health professionals who use occupational activities with specific goals to help people of all ages prevent, lessen or overcome physical, psychological, or developmental disabilities. Athletic trainers work with clients who are preparing for, or participating in, sports activities. They work to treat, rehabilitate, and prevent athletic injuries. Physical therapists provide rehabilitative care for patients with physical disabilities or dysfunction.

The Board of Registration of Allied Health Professions evaluates applicants for licensure and grants licenses to those who qualify. It establishes rules and regulations to ensure the integrity and competence of licensees. The Board is the link between the consumer and the allied health professional and, as such, promotes the public health, welfare, and safety.

Creation of Board

G.L. chapter 13, section 11A

Rules and Regulations

259 CMR 2.00-5.00

Licensing Provisions

G.L. chapter 112, section 23A-23Q

Board Members

Paul N. Petrone, OTR/L,
Chairman

Richard Burr, LATC, Vice
Chairman

Kathleen Barnes, PT,
Member

Nancy Lowenstein, OTR/L,
Member

Steven Nikolsky,
Public Member

Susan McAvoy, PTA,
Member

Charles Redmond, LATC/PT,
Member

Denise Sargent, LATC/PT,
Member

Nancy Stephens, PT,
Member

Facts and Figures

The Board of Registration of Allied Health Professionals licenses approximately 19,034 allied health professionals throughout the Commonwealth. In Fiscal Year 2005, the Board received 28 new complaints and resolved 38 complaints from this and previous fiscal years. The Board held four investigative conferences and entered into eight consent agreements. The Board revoked three licenses, suspended six licenses, and placed four licenses on probation.

Accomplishments

- In January 2005, as part of the initiative to limit auto insurance fraud, the Massachusetts Legislature passed a statute allowing the Board to license allied health facilities. The Board invited constituent professional associations to participate in the process of drafting the supporting facility regulations, and drew on the DPL's expertise in licensing other types of facilities to streamline this process. In addition to permitting greater oversight of allied health facilities, the new statute also allowed the Board to convert from its system of bi-annual January renewals for all 20,000 allied health professionals to a more evenly distributed birthday renewal system.

Rules and Regulations

- The Board revised its regulations for readability. The new regulations became effective in May 2005.

Certified Public Accountants



The Board of Registration of Certified Public Accountants

Practitioners in public accountancy provide services to the public, which involves the use of accounting or auditing skills. These include one or more kinds of management advisory or consulting services, preparing tax returns or furnishing advice on tax matters.

The Board of Registration in Public Accountancy grants certificates and licenses to practice public accountancy to qualified individuals who comply with chapter 112, section 87A-E½ and 252 CMR. After these individuals have been granted licenses, the Board monitors their practice of public accountancy to ensure the public that they have complied with all of the continuing educational requirements and quality report reviews necessary to renew their licenses. The Board also monitors the practice of public accountancy to ensure that the services provided to the public are done in accordance with professional and ethical standards law and rules and regulations.

The Board's objective is to provide quality service to its licensees in their service to the public. It administers the national Uniform CPA exam twice a year to more than 3,000 candidates and evaluates each successful candidate's experience in order to determine his or her competency to be granted a license. It coordinates the 60 plus phone inquiries received each day and provides professional guidance to each inquiry.

Facts and Figures

- The Board of Registration of Certified Public Accountants licenses approximately 14,163 certified public accountants throughout the Commonwealth. In Fiscal Year 2005, the Board received 37 complaints and resolved 34 complaints from this and previous fiscal years. The Board held four investigative conferences and one formal hearing. The Board entered into four consent agreements, accepting the voluntary surrender of two licenses, suspended one license, and placed four licenses on probation. The Board issued one administrative penalty totaling \$1,000.00 and assisted in obtaining refunds of \$3,500.00 to consumers.

Accomplishments

- After 72 years the Certified Public Accountancy (CPA) licensure exam changed from its written format to a computer-based licensure exam (CBT). As of April 2004 the American Institute of Certified Public Accountants (AICPA) instituted the CBT as the new CPA exam, making it the only exam available for candidates applying for licensure as a Certified Public Accountant. In FY 04, the Board changed its statute to conform to the new test format. The Board simultaneously developed a revision to 252 CMR to adopt the new provisions of the CBT. On August 19, 2004 the Board voted in a new policy to recognize that candidates obtaining passing scores on the CBT at their first sitting would be considered for licensure.

Continued

Creation of Board

G.L. chapter 13, sections 33 to 35

Rules and Regulations

252 CMR 1.00-4.00

Licensing Provisions

G.L. chapter 112, sections 87A to 87E 1/2

Board Members

Dorothy H. Kelly, CPA,
Chair

Leo H. Bonarrigo, CPA,
Secretary

Robert H. Temkin, CPA,
Member

Sherman H. Starr, CPA,
Member

John B. Glynn, Esq.,
Member

Certified Public Accountants

- This policy vote also allowed candidates who then passed the CBT in full to become licensed. The policy statement will become published regulations in early fiscal year 2006. The Board enlisted the assistance of the Massachusetts Society of Certified Public Accountants in publicizing the new rules and prospective regulatory changes.

Chiropractors



The Board of Registration of Chiropractors

Chiropractors provide health care services to consumers for musculoskeletal and neuromuscular conditions. They are concerned with improving and maintaining the integrity of the biomechanical systems of the body.

A number of studies over the past few years, including the United States Department of Health and Human Services' Agency for Health Care Policy and Research (AHCPR), the Manga Report, funded by the Ontario Administry of Health, and the Rand Study on Low Back Pain, all expound on the effectiveness of spinal manipulation as performed by chiropractors.

The Board of Registration of Chiropractors regulates the practice of chirpracty in the Commonwealth of Massachusetts. The Board works to maintain high standards of practice and to protect the health and welfare of the public by establishing qualification requirements for licensure, reviewing applicant credentials, and administering licensing examinations. The Board also monitors the practice of its licensees to ensure compliance with state laws and the Board's rules and regulations. The Board resolves consumer complaints against licensees by investigating charges and taking appropriate disciplinary action when necessary.

Facts and Figures

The Board of Registration of Chiropractors licenses approximately 1,977 chiropractors throughout the Commonwealth. In Fiscal Year 2005, the Board received 46 complaints and resolved 62 complaints from this and previous fiscal years. The Board held five investigative conferences and four formal hearings. The Board entered into 25 consent agreements, accepted the voluntary surrender of one license, revoked two licenses, placed 21 licenses on suspension, and placed 13 licenses on probation.

Accomplishments

- In January 2005 the Massachusetts Legislature passed an emergency statute requiring licensure of chiropractic facilities. Supportive of this measure, the Board drafted facility regulations, which became effective March 25, 2005. By implementing an online application process, the Board licensed 75 chiropractic facilities before the fiscal year ended on June 30. From enabling statute to licensure: 180 days!
- For the fourth year in a row, the Chiropractic Board led a well-attended continuing education program on documentation and record-keeping. Dr. Barowsky discussed the facility regulations with approximately 150 chiropractors at the Mass. Chiropractic Society's annual meeting, then incorporated their feedback into both the regulations and the roll-out process. In

Creation of Board

G.L. chapter 13, sections 64 to 66

Rules and Regulations

233 CMR 2.00-4.00

Licensing Provisions

G.L. chapter 112, sections 89 to 97

Board Members

Edward J. Barowsky, D.C.,
Chair

Joseph M. Boyle, D.C.,
Vice Chair

Kirk J. Shilts, D.C.,
Secreatary

Wayne A. Comeau, D.C.,
Member

Mark S. Elfman, D.C.,
Member

Michael V. Frustaci, D.C.,
Member

Lisa A. Grant, Esq.,
Member

Continued

Chiropractors

addition, all the Board members participated in the anti-fraud orientation/ education programs held monthly for new licensees. Sixty chiropractors were newly licensed in Massachusetts.

Special Recognition

- Two days after an emergency appendectomy, Dr. Barowsky appeared at a press conference with Governor Mitt Romney to accept the Governor's praise of the DPL's accomplishments.

Cosmetology



The Board of Registration of Cosmetology

The Cosmetology profession includes hairdressers, manicurists and aestheticians. These professionals work closely with the public and are regulated by the Board of Registration of Cosmetology. The Board also sets the curricula requirements and regulates the schools that train candidates in these occupations. The Board protects the health and safety of the public by maintaining high standards for the industry.

Creation of Board

G.L. chapter 13, sections 42 to 44

Rules and Regulations

240 CMR 2.00-7.00

Licensing Provisions

G.L. chapter 112, sections 87T to 87KK

Board Members

Anthony Moosa,

Chair

Karen Bonney,

Member

Belinda Morrone,

Member

Daniel Abraham,

Member

Catherine Hinds,

Member

Katherine Cochrane,

Public Member

Facts and Figures

The Board of Registration of Cosmetologists licenses approximately 64,383 cosmetologists and shops throughout the Commonwealth. In Fiscal Year 2005, the Board received 793 complaints and resolved 713 complaints from this and previous fiscal years. The Board held four investigative conferences and three formal hearings. The Board entered into 72 consent agreements accepting the voluntary surrender of two licenses, revoked 9 licenses, issued 24 suspensions, and placed one license on probation. The Board issued \$138,100.00 in administrative penalties and refunded \$210.00 to consumers.

Accomplishments

- The Board has inspected and opened five new cosmetology schools.
- The Board and Board worked closely together to close a large volume of cases.

Awards

- Ms. Cochrane received a community award for public education regarding the Transitional Age Youth Development Program.
- Mr. Abraham received the Best Newsletter Award for his cosmetology association publication.

Dietitians and Nutritionists



The Board of Registration of Dietitians and Nutritionists

Human Dietetics/Nutrition is the science concerned with the relationship between foods and human health. The focus is on nutrients in food, their actions/interactions and the balance of health, disease, socioeconomic, cultural, and psychological factors. This field requires the application of biochemistry, physiology, social sciences and physical sciences toward the achievement of optimal human health.

The Board of Registration of Dietitians/Nutritionists grants licenses to qualified individuals who comply with the requirements of the statute. The Board monitors licensees to insure that the services provided are in accordance with the Massachusetts General Laws and Board rules and regulations. The Board also insures that licensees have complied with continuing professional education requirements necessary to maintain current knowledge and renew their licenses.

Facts and Figures

The Board of Registration of Dietitians and Nutritionists licenses approximately 1,995 dietitians and nutritionists throughout the Commonwealth. In Fiscal Year 2005, the Board received one complaint and resolved one complaint.

Accomplishments

- The Board completed their first continuing education audit, with 100% compliance.
- The Board reached out to schools and colleges of Nutrition around the state in efforts to educate them and their students about the Board, its purpose and mission.
- After licensing individuals for only four years, and only having two complaints filed to date, the Board embraced their consumer protection role and had their first investigatory conference. No disciplinary action was taken.

Creation of Board

G.L. chapter 13, section 11D

Rules and Regulations

262 CMR 1.00-6.00

Licensing Provisions

G.L. chapter 112, sections 196 to 202

Board Members

Jane Folkman,

Co-Chair

Peter W. Gazzillo, Jr.,

Co-Chair

Nancy Andersen,

Member

Maxine Pestronk,

Member

Pamela J. Carabba,

Member

William T. Fahy,

Member

Joyce Morrison,

Member

Continued

Dietitians and Nutritionists

Future Issues

- The Board would like to extend its efforts to reach out to nutrition students in order to educate them about licensure and the steps needed to take to become licensed, as well as to maintain licensure.
- The Board will also be taking strides to collaborate with the Massachusetts Dietetic Society to educate existing licensees about issues in Dietetics and Nutrition.
- The Board would like to be one of the first in the agency to have the online renewal option for their licensees. Steps are being taken to introduce this new program over the upcoming year.

Special Recognition

- The Board has recently celebrated its fifth year as a Board. There was a great deal of hard work, collaboration and drive put forth to have the LDN license become a reality in Massachusetts. The Board would like to thank its existing Co-Chair, Jane Folkman, for her commitment to this goal, and her hard work on the Board to solidify the efforts and mission on the Board. Her drive and ambition, greatly assisted in the end result of Dietitians and Nutritionists Licensure.

Dispensing Opticians



Creation of Board

G.L. chapter 13, section 96

Rules and Regulations

255 CMR 1.00-11.00

Licensing Provisions

G.L. chapter 112, sections 73C to 73L

Board Members

Carol Russell,
Chair

William Carelton,
Vice Chair

Daron Kahn,
Secretary

John Simko,
Member

Shirley Siltan,
Member

The Board of Registration of Dispensing Opticians

Dispensing Opticians fit and dispense prescription ophthalmic eyewear including eyeglasses and contact lenses. Members of this profession measure and duplicate existing ophthalmic prescriptions and fabricate eyeglasses.

The Board of Registration of Dispensing Opticians protects the public through regulation of the practice by testing candidates and licensing those who are qualified, insuring compliance with state statutes and the Board's rules and regulations, and conducting hearings and facilitating resolutions to consumer complaints. The Board manages apprenticeship-training programs, approves educational standards for school-based opticianry programs, and monitors the continuing education requirements of licensees. The Board also works with opticianry boards in other states and professional organizations in furthering the qualifications of opticians.

Facts and Figures

The Board of Registration of Dispensing Opticians licenses approximately 1,820 dispensing opticians throughout the Commonwealth. In Fiscal Year 2005, the Board received seven complaints and resolved seven complaints from this and previous fiscal years. The Board held one formal hearing. The Board entered into two consent agreements and suspended three licenses.

Accomplishments

- The Board instituted requirements to pass the National Contact Lens Exam to be completed prior to licensure.

Rules and Regulations

- The Board promulgated new regulations which require licensees to be certified to work with contact lenses.

Future Issues

- The Board would like to increase industry outreach

Special Recognition

- Carol Russell received special recognition from the *Vision Money Magazine* as one of the 50 most influential women in the optical industry.

Operators of Drinking Water Facilities



Creation of Board

G.L. Chapter 13, section 66B

Rules and Regulations

236 CMR 2.00-5.00

Licensing Provisions

G.L. chapter 112, sections 87C to 87D

Board Members

Paul S. Niman,
Chairman

Robert D. Hoyt,
Vice Chairman

William C. Salomaa,
Secretary

Michael Celona,
Member

Peter C. Karalekas Jr.,
Member

James L. Deming
Member

The Board of Certification of Operators of Drinking Water Supply Facilities

Operators of drinking water supply facilities are employed by local water distribution and treatment facilities. They are responsible for chemically treating and then distributing our drinking water.

The Board of Certification of Operators of Drinking Water Supply Facilities regulates and licenses all operators of these facilities to ensure that the highest safety standards are adhered to in the treatment and distribution of drinking water.

The Board encourages licensees to maintain a high level of competence in the industry and assists them in enrolling in seminars and training programs. The board holds high standards of quality and service in the industry for the protection of the public's health and safety. The Board offers nine levels of licensure from basic employment to management in drinking water facilities.

Facts and Figures

The Board of Certification of Operators of Drinking Water Facilities licenses approximately 4,608 drinking water facilities operators throughout the Commonwealth. In Fiscal Year 2005, the Board received four complaints and resolved four complaints. The Board suspended three licenses.

Accomplishments

- The Board received and closed four cases.

Future Issues

- Review and discuss the possibility of computerized testing becoming available to all Drinking Water Operators.

Electricians



The Board of State Examiners of Electricians and Electricians Appeals

The professionals licensed by the Examiners include Master Electricians (A), Journeyman Electricians (B), Fire Warning and Security System Contractors (C) and Fire Warning and Security System Technicians (D). The Examiners also handle appeals from licensees and wiring inspectors through the Board of Electricians Appeals.

The primary mission of the Examiners is to protect the citizens of Massachusetts by establishing minimum standards for persons performing electrical installations. They accomplish this mission by examining and licensing candidates and by enforcing the regulations and general laws relative to electrical installations in Massachusetts. The Examiners also prosecute those found to be working without a license, either through the Office of the Attorney General or directly in the courts of the Commonwealth, and post implementation of the new enforcement law before the Board itself.

The Board of Electricians' Appeals issues informal opinions and conducts formal hearings in matters of dispute based upon decisions rendered by local wiring inspectors.

The Examiners also perform fire investigations under the direction of the State Fire Marshal to determine if electricity could have contributed to the fire. While performing these fire investigations, the Examiners check the installation(s) for code compliance and possible licensee misconduct.

Facts and Figures

The Board of State Examiners of Electricians and Electrical Appeals licenses approximately 34,591 electricians throughout the Commonwealth. In Fiscal Year 2005, the Board received 355 complaints and resolved 358 complaints from this and previous fiscal years. The Board held 13 formal hearings and 17 investigative conferences. The Board entered into 27 consent agreements, revoked 37 licenses, issued 52 suspensions, and placed four licenses on probation. The Board assisted in refunding \$6,275.00 to consumers.

Accomplishments

- Online continuing education renewals
- Electronic examination application approval
- Complaint tracking oldest complaint under one year.
- Prosecution of ? cases of unlicensed practice.

Continued

Creation of Board

G.L. chapter 13 sections 32, 32A

Rules and Regulations

237 CMR 12.00-23.00

Licensing Provisions

G.L. chapter 141
G.L. chapter 143
Sections 3L to 3P

Board Members

Peter A. Senopoulos,
State Fire Marshal designee, Chair

David W. Aragona,
Systems Technician, Member

James D. Baker,
Systems Contractor, Member

Kevin J. Bulman,
International Municipal
Signalman's Association, Member

Geraldine M. Culver,
Public Member

Donald F. Drew,
Electrical Contractor, Member

Anthony R. Iovanna,
Journeyman Electrician, Member

Robert R. Venuti,
Master Electrician, Member

William R. Plamondon,
Local Wiring, Inspector Member

Jeffrey J. Wheeler,
Department of Education, Member

Electricians

- Average complaint resolution 120-days.
- Online product recalls

Future Issues

- Future issues for the Board include Online Course enrollment, Legislation to update c. 141 and authorization of registration of Apprentices.

Rules and Regulations

- CEU/Providers
- Registering Apprentices

Electrology



Creation of Board

G.L. chapter 13, sections 58 to 60

Rules and Regulations

233 CMR 2.00-3.00

Licensing Provisions

G.L. chapter 112, sections 87EEE to 87000

Board Members

Paula Wright,

Chair

Charlotte Bosco-Fitzpatrick,

Secretary

Dr. Richard Brown,

Medical Member

Eileen Nicholas,

Public Member

The Board of Registration of Electrologists

Electrologists perform services for consumers through the permanent removal of hair from the body. Electrolysis involves the application of an electrical current through a needle to the hair follicle.

The Board of Registration of Electrologists protects the public through regulation of the practice in the Commonwealth of Massachusetts in accordance with the statutes and Board regulations and code of conduct.

The Board issues licenses to practice as qualified electrologists and qualified instructors when applicants meet the Board's education and experience requirements and pass a Board administered examination. The Board also licenses schools of electrology after inspection and approval.

Facts and Figures

The Board of Registration of Electrology licenses approximately 842 electrologists throughout the Commonwealth. In Fiscal Year 2005, the Board resolved two complaints from previous fiscal years.

Accomplishments

- The Board promulgated new rules and regulations.
- The Board, in conjunction with the Massachusetts Electrology Association, held an educational seminar regarding continuing education.

Future Issues

- In the 2005-2007 renewal cycle, the Board will be conducting an audit for continuing education.

New Rules and Regulations

- The Board is in the beginning stage of looking at the rules and regulations to see if a revision is needed.

Special Recognition

- Dr. Richard Brown was appointed to a special task force for the Board of Medicine.

Engineers and Land Surveyors



The Board of Registration of Professional Engineers and of Professional Land Surveyors

Members of the engineering and surveying professions provide services to consumers as defined by the statutes and described in the regulations. Engineers practice in many areas, including (but not limited to) chemical, civil, environmental, electrical, mechanical, structural, agricultural, aeronautical/aerospace, fire protection, manufacturing, industrial, nuclear, petroleum and safety.

The Board of Registration of Professional Engineers and Professional Land Surveyors establishes, monitors and enforces qualifying standards for the engineering and land surveying professions. The Board works to insure that persons practicing in these professions are competent to practice and are not endangering the life, health, safety and welfare of the public.

The Board regulates the practice of licensed Professional Engineers and Professional Surveyors through the Code of Regulations, which includes the Rules of Professional Responsibility. The Board has successfully applied strict standards of education and experience for its licensees and the administration of examinations in Fundamental Knowledge and Principles and Practice to determine a candidate's competence to practice engineering and land surveying. It has aggressively pursued taking disciplinary action against licensees for the protection of the public.

The Board and its sub-committees review, evaluate and act on applications for licenses. The Board conducts interviews and oral examinations to verify an applicant's qualifications. The written examinations administered by the Board provide a final screen of an applicant's qualifications. Board members are members of the National Council of Examiners for Engineering and Surveying (NCEES). This council prepares national examinations for the regulated professions, develops uniform standards for comity registration among the states, and acts as a clearinghouse for the law enforcement activities of its member boards.

Facts and Figures

The Board of Registration of Engineers and Land Surveyors licenses approximately 16,410 engineers and land surveyors throughout the Commonwealth. In Fiscal Year 2005, the Board received 35 complaints and resolved 33 complaints from this and previous fiscal years. The Board held eight investigative conferences.

Continued

Creation of Board

G.L. chapter 13, sections 45 to 47

Rules and Regulations

250 CMR 2.00-6.00

Licensing Provisions

G.L. chapter 112, sections 81D to 81T

Board Members

Philip A. Jenks, Esq.

Chairman

Dennis Drumm, PLS,

Vice Chairman

Paul D. Turbide, PE, PLS

Secretary

Robert W. Hall, PE,

Board Member

Kay Krekorian, PE, PLS,

Board Member

Arjun Rao, PE,

Board Member

Thomas L. McDonough, PE,

Board Member

Ronald J. Willey, PE,

Board Member

Sheryl L. Campbell, PLS,

Board Member

Peter E. Hale, PLS,

Board Member

Engineers and Land Surveyors

Accomplishments

- After several months of discussion, the Board has completed a revision to their reinstatement application. A new reinstatement policy is now in place that will speed up the process of for those attempting to reinstate lapsed licenses.
- For the first time, the Massachusetts Board had representation by a Member Board Administrator at the NCEES annual meeting, which took place in August of 2004. Meeting and working with other state boards will help the Board implement new and faster administrative procedures.
- Board members, along with Board staff and the Executive Director are trying to establish a simplified application process for applicants. The Board has identified bottle necks in the process which can be improved upon. It is anticipated that this procedure will be finalized within the next couple of months.
- The Complaint Committee set up by the Board is still in place. Monthly meetings are held, usually in the Springfield office, to review incoming complaints and hold investigatory conferences. This process continues to be successful in reducing the backlog of cases.
- Former Chairman, H. William Flood, continues to head up the 250 CMR revision committee. This group has made great progress over the past few months, and hopes to submit a draft for Board review in the near future.

Rules and Regulations

- No new regulations were developed. With the assistance of new Board counsel, Sheila York, the Board has developed a number of Administrative Rulings (AR's), Policy Statements, and Frequently Asked Questions to be posted on the Division's website. This effort is to assist the public, applicants, and licensees to better understand the General Laws and 250 CMR.

Special Recognition

- The Board welcomed two new Professional Land Surveyors and one Professional Engineer to the Board.
- After several years of serving on the Board, Mr. Robert W. Hall resigned in late spring. The Board and Division thank him for his service.

Continued

Engineers and Land Surveyors

Future Issues

- Continue to increase the effectiveness of the complaint committee and the investigation process, as to address all issues and concerns raised in the complaints in a timely fashion.
- Promulgate new regulations of 250 CMR. First draft is in the process of being completed. Optimally, the Board will hold public hearings regarding these changes in early Fiscal Year '06.

Embalming and Funeral Directing



Creation of Board

G.L. chapter 13, sections 29 to 31

Rules and Regulations

239 CMR 2.00-4.00

Licensing Provisions

G.L. chapter 112, sections 82-87

Board Members

Katherine Cartmell-Sirrico,

Chair

Edward Mazur,

Secretary

Ralph Barile

Member

Judith McCarthy

Public Member

**(Jack Kazlaskas-deceased
March 2005)**

The Board of Registration of Embalmers and Funeral Directors

The Funeral Services profession provides services for the deceased and their families. Members of this profession prepare the bodies of the deceased through embalming, arranging for crematory services, and providing services of assistance to family members of the deceased. They are committed to following all health-related rules as set forth by the Board and local health departments, and consumer protection rules of the Federal Trade Commission.

The Board of Registration of Funeral Directors and Embalmers oversees the licensing of these professionals and their apprentices through examination. The Board also regulates and inspects the facilities of licensed embalmers and funeral directors.

Facts and Figures

The Board of Registration of Embalmers and Funeral Directors licenses approximately 2,608 funeral directors and embalmers throughout the Commonwealth. In Fiscal Year 2005, the Board received 290 complaints and resolved 246 complaints from this and previous fiscal year. The Board entered into two consent agreements, revoking one license, accepting one voluntary surrender, issued 11 stayed suspensions, and placed two licenses on probation. The Board issued 127 administrative penalties totaling \$12,600.00 and assisted in obtaining refunds of \$567.18 to consumers.

Accomplishments

- The Board held several continuing education seminars throughout the state regarding pre-need regulation updates.
- The Board also audited and reissued new funeral establishments to all funeral homes.

New Rules and Regulations

- The Board will further explore the possibility of revising the Board rules and regulations. The Board is also contemplating adding an additional type class.

Special Recognition

- The Board would like to honor the late John J. Kazlauskas for his many years of service to the Board. He was a member of the Board from 1988 until his death in March 2005. Mr. Kazlauskas was past president of the International Conference of Funeral Service Examining Boards. He was a longtime member and former Director of the Massachusetts Funeral Directors Association. He also co-founded the Greater Worcester Funeral Directors Association in 1979.

Health Officers



The Board of Certification of Health Officers

Certified Health Officers (CHOs) are generally the administrative officers of a health department or board of health. Several are presently serving as administrators to the State Department of Public Health or State Department of Environmental Protection. The Health Officer evaluates the community's health issues and develops programs to address the community's needs and the prevention and control of health and/or environmental problems.

The health officer must be knowledgeable of state, federal and local sanitary codes and regulations including other public regulations addressing the public health and the environment, as well as those issues referencing communicable disease control, Title V septic system design and approval, housing, food service, public swimming pools and beaches, hazardous waste control and environmental pollutants, massage and tanning establishments, animal and rabies control, and other public health issues that are governed by regulations. The CHOs perform field inspections, respond to complaints, follow up on consumer requests, and deal with issues associated with public health and environmental regulations that affect the community and the Commonwealth.

The Board of Certification of Health Officers works to maintain a high level of professionalism among the CHOs by monitoring and enforcing its regulations and policies, amending its regulations as necessary, and reviewing practitioners' records to ensure fulfillment of continuing education requirements. The Board's intent is to establish a base of knowledgeable health officers who will be able to better serve the community as well as the Commonwealth in meeting the consumers' needs relative to public health and environmental issues.

Facts and Figures

The Board of Registration of Health Officers licenses approximately 125 health officers throughout the Commonwealth.

Accomplishments

- In Fiscal Year 2005, the Board received three applications for licensure. All three applicants were approved to sit for the exam. Two candidates sat for and passed the HO exam and one is scheduled to sit for the exam. During this time, the Board navigated to the end of its relationship with Exporior/Thomson Prometric and initiated a contractual relationship with PCS as its vendor for application examination and administration of the Health Officer examination. The Board and Board staff is working with PCS in the development of a new exam as well as new study aids/materials.

Continued

Creation of Board

G.L. chapter 13, sections 70 to 72

Rules and Regulations

241 CMR 2.00-4.00

Licensing Provisions

G.L. chapter 112, sections 87WWW to 87ZZZ

Board Members

David Kaplan,
Chair

Michael Feeney,
Vice Chair

Everett Penney,
Secretary

John M. Canning
Member

Bruce Murphy,
Member

Richard Solano,
Public Member

Joseph G. McCarthy
Member

Joanne Scott
Member

Health Officers

- The Board is continually working on new strategies to recruit candidates to sit for the Health Officer's exam. Several strategies were suggested including postings links on the State Department of Public Health web page and other pertinent sites. The Board members have long been concerned about the positions of Health Officers that are held by individuals who are not licensed and are not subject to the laws or the rules and regulations of the HO Board. The members continuously discuss ways to have the laws changed to make it mandatory to be licensed to work as and hold the title of Health Officer.

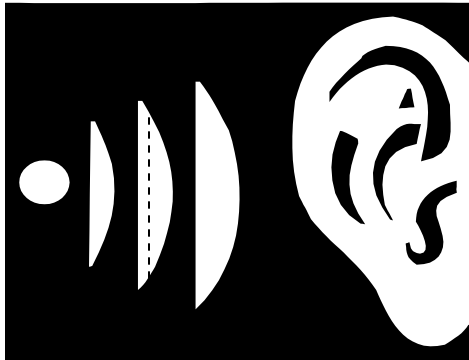
Special Recognition

- The Board welcomes Mr. Michael Feeney, CHO. Since the retirement of Mr. Howard S. Wensley, Mr. Feeney is now filling the mandatory position as the representative of the Department of Public Health. Mr. Feeney works at the Department of Public Health Bureau of Environmental Health Assessment (BEHA).

Future Issues

- Changing the laws to make it mandatory to be a Licensed Certified Health Officer in order to work as and hold the title of Health Officer in the Commonwealth of Massachusetts. Changing the law will increase the protection of the public.
- The Board will be working on the creation of a new computer based exam which will be able to be administered on any given day. The Board's new vendor is in the process of updating new questions for the exam, with planned implementation prior to the end of the calendar year.

Hearing Instrument Specialists



The Board of Registration of Hearing Instrument Specialists

Hearing Instrument Specialists are individuals who engage in the practice of dispensing or fitting hearing aids. The practice of fitting and dispensing hearing aids means the measurement of human hearing solely for the purpose of making selections, adaptations or sales of hearing aids intended to compensate for impaired hearing. The Board of Registration of Hearing Instrument Specialists protects the public through regulation of the practice and the title of Hearing Instrument Specialist in the Commonwealth of Massachusetts in accordance with the statutes.

Creation of Board

G.L. chapter 13, sections 93 to 96

Rules and Regulations

266 CMR 2.00-10.00

Licensing Provisions

G.L. chapter 112, sections 196 to 198

Board Members

Rudy Szady,

Chairman

Loleata Wigall,

Secretary

Donald Gross,

Member

Mark Battite,

Member

Elizabeth Campbell,

Member

James P. O'Donnell,

Consumer Member

Facts and Figures

The Board of Registration of Hearing Instrument Specialists licenses approximately 143 hearing instrument specialists throughout the Commonwealth. In Fiscal Year 2005, the Board received eight complaints and resolved six complaints from this and previous fiscal years. The Board entered into one consent agreement.

Accomplishments

- The Board created a new licensure examination and set new disciplinary standards for all applicants and licensees.

Special Recognition

- The Board would like to recognize James P. O'Donnell for his service to the Board.

Rules and Regulations

- The Board promulgated minor regulation changes and will continue to review the regulations for future amendments.

Future Issues

- The Board would like to increase industry outreach.

Home Inspectors



Creation of Board

G.L. chapter 13, section 96

Rules and Regulations

255 CMR 1.00-11.00

Licensing Provisions

G.L. chapter 112, sections 222 to 226

Board Members

Michael Mc Dowell,
Chairman
John Digby,
Vice Chairman
Stephen Cook,
Member
Matthew Simpson,
Member
Edward Nuzzo,
Public Member

The Board of Registration of Home Inspectors

The Board of Registration of Home Inspectors is charged with evaluating the qualifications of applicants for licensure and granting licenses to those who qualify. It establishes rules and regulations to ensure the integrity and competence of licensees. The Board promotes public welfare through regulation of the home inspectors in accordance with the state statutes and board regulations.

The Board is responsible for insuring that licensed home inspectors have proper training and experience through an associates program and meet minimum inspection requirements in each inspection performed. Applicants are required to pass a board-approved examination prior to licensure and fulfill continuing education for license renewal. In addition, the board publishes a code of ethics for home inspectors.

Home Inspectors are required to carry a minimum of \$250,000 in insurance so that consumers will be able to seek compensation if they endure losses that are a result of an inspector's error. In addition, real estate brokers are required to distribute a brochure produced by the Office of Consumer Affairs about home inspections to homebuyers. They are prohibited from directly recommending a home inspector. Brokers may provide a list of licensed inspectors in the state upon request. This will help eliminate the conflict of interest that exists when a real estate broker recommends a specific home inspector.

Facts and Figures

The Board of Registration of Home Inspectors licenses approximately 556 home inspectors throughout the Commonwealth. In Fiscal Year 2005, the Board received 32 complaints and resolved 42 complaints from this and previous fiscal years. The Board entered into 10 consent agreements, issued two suspensions, placed four licenses on probation, and issued six administrative penalties totaling \$6,625.00.

Accomplishments

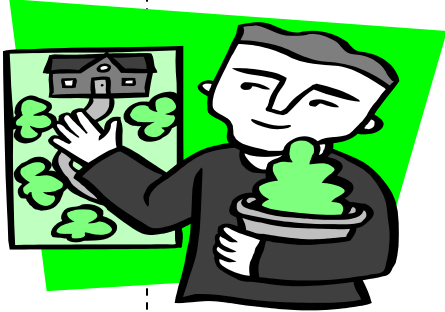
- The Board eliminated the majority of consumer complaints.

Rules and Regulations

- The Board has been renewing the regulations and is working on a draft copy.

Future Issues

Landscape Architects



The Board of Registration of Landscape Architects

Landscape Architects provide services to consumers as defined by the statutes and described in the regulations. The Board of Registration of Landscape Architects protects the public through regulation of the practice and the title of Landscape Architect in the Commonwealth of Massachusetts in accordance with the statutes.

Facts and Figures

The Board of Registration of Landscape Architects licenses approximately 796 landscape architects throughout the Commonwealth. In Fiscal Year 2005, the Board received one complaint and resolved one complaint. The Board placed one license on probation.

Accomplishments

- The Board prepared three new test section options for the Massachusetts section to add to the CLARB national exam. This will provide three options to rotate so the test is not the same each time it is administered. Testing questions address health, safety, and welfare issues and current Massachusetts legislation requirements association with landscape architectural practice.
- The Board also updated the information provided on the Board webpage to provide more information on the schedule and sequence for testing. This change was necessary since the national exam has established a new testing schedule which provides additional testing times during the year. The Board also worked on the application of all information to clarify and simplify instructions for the user.

Future Issues

- The Board will discuss adding continuation credits to the requirements for registration.

New Rules and Regulations

- Discuss possible practice act in addition to title act.

Creation of Board

G.L. chapter 13, sections 67 to 69

Rules and Regulations

242 CMR 2.00-3.00

Licensing Provisions

G.L. chapter 112, sections 98 to 107

Board Members

Marion Pressley, FASLA,
Chair

Pam Shadley, ASLA,
Professional Member

Richard Anderson, ASLA,
Professional Member

Frank Fields,
Public Member

Optometry



Creation of Board

G.L. chapter 13, sections 16 to 18

Rules and Regulations

246 CMR 1.00-3.00

Licensing Provisions

G.L. chapter 112, sections 66 to 73B

Board Members

Bruce L. Rakusin, O.D.,

Chairman

Linda Bennett, O.D.,

Member

Richard C. Erickson, O.D.,

Member

Scott D. Peterson, Esq.,

Public Member

Neil I. Schram, O.D.,

Member

The Board of Registration of Optometry

Licensed doctors of optometry are independent primary health care providers who examine, diagnose, treat and manage diseases and disorders of the visual system, the eye and associated structures. The scope of optometric care ranges from vision testing and correction to diagnosing, managing and treating complex eye and vision problems such as glaucoma.

The Board of Registration in Optometry licenses all new optometrists, and renews licenses for established optometrists. The Board both proposes and reviews legislation, as well as new rules and regulations affecting the profession. It maintains high standards in the field and protects consumers by investigating and resolving complaints against optometrists. It also works to maintain the educational standards of the profession by reviewing and either approving or rejecting continuing education and postgraduate courses for Massachusetts's licensees.

Facts and Figures

The Board of Registration of Optometry licenses approximately 1,483 optometrists throughout the Commonwealth. In Fiscal Year 2005, the Board received 15 complaints and resolved 12 complaints from this and previous fiscal years. The Board held one investigative conference. The Board entered into two consent agreements and placed two licenses on probation.

Accomplishments

- The Board of Registration of Optometry worked with the Massachusetts Society of Optometry (MSO) and the New England College of Optometry to facilitate licensure of new graduates. Dr. Rakusin, Board Chair, made a presentation with MSO aimed at new graduates/ members, which explains the licensing process. This presentation, entitled "Introduction to the Massachusetts Board of Registration in Optometry," is posted on the Optometry website at <http://www.mass.gov/dpl/boards/op/press.htm>.
- The Board welcomed its newest member, Dr. Linda Bennett. Dr. Bennett is a former MSO President and now serves as liaison to that professional body. She regularly contributes articles to the MSO Newsletter to update the optometric community with news from the Board.

Rules and Regulations

- Although the professional organization and the Board supported it, a scope of practice bill that would have allowed qualifying optometrists to treat glaucoma, prescribe oral medications, and apply other agents to the eye and

Continued

surrounding tissue was not adopted by the legislature, but will be back on the docket again for future sessions. The Board participated in the statewide “regulation weeding” project, to streamline and clarify its regulations. To encourage review and comment, the revisions were posted online in draft form. Among other changes, the revised regulations shorten the period for completion of annual continuing education credits to 12 months, eliminating an extra month provision that created confusion and administrative burden.

Plumbers and Gas Fitters



Creation of Board

G.L. chapter 13, sections 36 to 38

Rules and Regulations

248 CMR 2.00-7.00

Licensing Provisions

G.L. chapter 142, sections 1 to 22

Board Members

Paul Kennedy Sr.,
Chairman

Edward Cruz,
Journeyman Plumber

Bahig A. Kaldis,
Professional Engineer

Gail M. Barmakian,
Public Member

Joseph Kosh,
Master Gas Fitter

Howard S. Wensley,
Public Health Member

Joseph P Mc Namee,
Department of Public Safety
Designee

Anthony Visco,
L.P. Gas Fitter

Aldo E Bertoni,
Master Plumber

The Board of State Examiners of Plumbers and Gas Fitters

Plumbers work with materials and fixtures used in the installation, removal, maintenance, extension, and alteration of plumbing systems for piped fixtures, fixed appliances, and accessories. They perform this work in connection with sanitary drainage, storm drainage, special waste, venting systems, and public or private water supply systems within or adjacent to a building or structure. Gas Fitters pipe fuel gases, low pressure or elevated, to appliances and accessories and insure the installation of vent piping for flue gases and makeup air. Licensed plumbers may also perform gas fitting.

The Board of Registration of Plumbers and Gas Fitters regulates these occupations in the Commonwealth of Massachusetts in accordance with the state laws and Board regulations. The Board promulgates the uniform state plumbing and gas fitting codes. It holds examinations and issues licenses for Journeyman and Master Plumbers, Journeyman and Master Gas Fitters, and Liquefied Petroleum Gas Installers (LP) and Limited Liquefied Petroleum Gas Installers (LTD). It registers apprentice Plumbers and Gas Fitters and issues corporate and partnership certificates for plumbing and gas. The Board holds public hearings for code amendments, grants variances, and approves dual and elevated gases and plumbing and gas products.

Facts and Figures

The Board of Registration of Plumbers and Gas Fitters licenses approximately 27,885 plumbers and gas fitters throughout the Commonwealth. In Fiscal Year 2005, the Board received 131 complaints and resolved 109 complaints from this and previous fiscal years. The Board held two investigative hearings. The Board entered into six consent agreements, revoked two licenses, issued 18 suspensions, and placed 6 licenses on probation.

Accomplishments

- The Board has contracted a new provider (PSI) to administer the licensing exams. This will help expedite and simplify the exam process in place. Now, the exams will be administered on a daily basis by computer rather than paper and pencil, giving more flexibility to the applicants. The Board feels this is a more effective process to keep us in synch with today's current standards.

Continued

Plumbers and Gas Fitters

- Board supported legislation authorizing continuing education and increased apprentice hours was enabled.
- A reduction in consumer complaint backlog to the lowest numbers in approximately ten years and a continuing effort to streamline this process to better serve the consumers. The Board is enforcing stricter penalties for licensees who have multiple offences and will continue to strive to reduce consumer complaints.
- The board promulgated complete code revisions and promulgated an emergency regulation aimed at protection consumers from carbon-monoxide poison.

Awards

- Chairman, Paul Kennedy, received The Contractor of the Year award at this years PHCC annual meeting. At that same meeting, Director Anne L. Collins and Executive Director Joseph Peluso received the Sinnott award, a special award for contribution to the plumbing industry.

Special Recognition

- The Board would like to recognize Norman St. Hilaire and Stephanie Ziertan for their contributions to the Board.
- The Board further recognizes the contributions of Sr. Investigator Taylor Roth Jr. and David Medeiros for their work on the inspections and investigation of consumer complaints.

Podiatrists



The Board of Registration of Podiatry

Podiatry deals with medical and surgical treatment of foot disorders. The Board of Registration in Podiatry evaluates the qualifications of applicants for licensure and grants licenses to those who qualify. It establishes rules and regulations to ensure the integrity and competence of licensed podiatrists. The Board promotes the public health, welfare and safety.

Facts and Figures

The Board of Registration of Podiatry licenses approximately 575 podiatrists throughout the Commonwealth. In Fiscal Year 2005, the Board received nine complaints and resolved 17 complaints from this and previous fiscal years. The Board held eight formal hearings. The Board entered into two consent agreements, accepted the voluntary surrender of two licenses, and placed two licenses on probation.

Accomplishments

- Several members of the U.S. Armed Forces contacted the Board to request extensions of renewal deadlines; the Board was pleased to note the licensees' attention to these matters and granted the waivers unhesitatingly.
- The Board drafted a brochure to explain the nature of its work to consumers/patients, with plans to update its website with similar consumer-friendly information.
- The Board also worked more closely with the directors of local podiatric residency programs, to streamline and facilitate the process of limited licensure for these individuals.

Creation of Board

G.L. chapter 13, sections 12A to 12C

Rules and Regulations

249 CMR 2.00-6.00

Licensing Provisions

G.L. chapter 112, sections 13 to 22

Board Members

Leroy J. Kelley, III, D.P.M.,
Chair

Raymond Dubois, D.P.M.,
Secretary

Raymond Murano, D.P.M.,
Member

David Campbell, M.D.,
Physician Member

Marshall P. Feldman,
Public Member

Psychologists



Creation of Board

G.L. chapter 13, sections 76 to 79

Rules and Regulations

251 CMR 1.00-4.00

Licensing Provisions

G.L. chapter 112, sections 118 to 129A

Board Members

Richard T. Monahan, Ph.D.,
Chair

Mary Walsh, Ph.D.,
Vice Chair

Carmen Brenes Jette, Ph.D.,
Secretary

John Stahl, Ph.D.,
Board Member

Sheila O'Keefe, Ed.D.,
Board Member

Stuart Fisher, Ph.D.,
Board Member

Olivia Moorehead-Slaughter,
Ph.D.,

Board Member

Ana Ortiz, Ph.D.,
Board Member

Kevin Bulman,
Public Member

The Board of Registration of Psychologists

Psychologists provide mental health services to consumers, as well as teach and perform research. The Board of Registration of Psychologists licenses qualified people to practice psychology and regulates that practice in the Commonwealth of Massachusetts, as defined by the statutes and described in the regulations.

The Board protects the public health and welfare through regulation of the practice. It receives, investigates, and adjudicates complaints against licensed practitioners.

Facts and Figures

The Board of Registration of Psychologists licenses approximately 5,132 psychologists throughout the Commonwealth. In Fiscal Year 2005, the Board received 70 complaints and resolved 35 complaints from this and previous fiscal years. The Board held nine investigative conferences. The Board entered into two consent agreements and placed two licenses on probation.

Accomplishments

- In Fiscal Year 2005, the Board received 156 applications for licensure, and granted 145 licenses to applicants from this and previous fiscal years. During this time period, the Board navigated to the end of its relationship with Experior/Thomson Prometric and initiated a contractual relationship with PCS as its vendor for examination processing and administration of the Jurisprudence examination. In addition, the Board revised its Jurisprudence examination study materials to reflect statutory changes, and revised/updated the item bank for the Jurisprudence examination.
- The Board met with the Director of the National Register of Health Service Providers in Psychology in April 2005 and with a committee from the Massachusetts Psychological Association in June 2005. This was an opportunity for each of these professional organizations to present their interests and concerns to the Board regarding licensure and reciprocity issues.

Awards

- Dr. Mary Walsh received an honorary Doctor of Science from Clark University in May 2005.

Continued

Future Issues

- The Board continues to be concerned with enforcement of its laws and regulations that protect consumers from unethical, unprofessional, and unlicensed practice. The Board hopes to work with other mental health professional boards to address the problem of unlicensed practice of psychotherapy in the Commonwealth of Massachusetts.

Special Recognition

- In July 2004, the Board recognized and honored Dr. Ward Cromer for his dedicated service to the Board, both as board member and as previous Chair of the Board.
- In January 2005, the Board recognized and honored Mr. Jack Cline for his service as a public member of the Board.
- In May 2005, the Board recognized Dr. Olivia Moorehead-Slaughter for her dedicated service to the Board, both as board member and as previous Chair of the Board.
- The Board welcomed new member Dr. Ana Ortiz in June 2005.

Radio and Television Technicians



The Board of Registration of Radio and Television Technicians

Radio and television repair technicians must be licensed by the Commonwealth to perform repairs on radio and television equipment. The Board of Registration of Radio and Television Technicians protects the public through regulation of the trade and by providing a source of assistance to consumers who have complaints about repairs or service. The Board imposes high standards for quality and service on those technicians working in the field of radio and television repair.

Creation of Board

G.L. chapter 13, sections 61 to 63

Rules and Regulations

253 CMR 2.00

Licensing Provisions

G.L. chapter 112, sections 87PPP-87VVV

Board Members

Robert Ayan,
Chairman

George Chalikis,
Vice Chairman

Rene Fagnant,
Secretary

Gilbert Clarke,
Member

Frank Serra,
Member

Michael DeSesa,
Member

Facts and Figures

The Board of Registration of Radio and Television Technicians licenses approximately 1,269 radio and television technicians throughout the Commonwealth. In Fiscal Year 2005, the Board received two complaints and resolved two complaints from this and previous fiscal years.

Accomplishments

- The Board reviewed the rules and regulations with the Board counsel and established a list of changes.
- The Board also instituted a new examination.

Rules and Regulations

- The Board is currently awaiting a second draft of current revisions.

Future Issues

- The Board would like to increase industry outreach.

Real Estate Appraisers



Creation of Board

G.L. chapter 13, section 92

Rules and Regulations

264 CMR 1.00-12.00

Licensing Provisions

G.L. chapter 112, sections 173-195

Board Members

William Pastuszek, Jr.,
Chair

Arthur P. Boyle,
Certified Residential Appraiser

Richard Cohen,
State Licensed Appraiser

Phyllis A. Leonard
Licensed Real Estate Broker

Augustine Pesaturo,
Public Member

William Johnson
Public Member

William Barney,
Banking Member

The Board of Registration of Real Estate Appraisers

Real Estate Appraisers, through their contracts with clients, provide land and commercial and residential property appraisal services.

The Board of Registration of Real Estate Appraisers licenses qualified professional appraisers in compliance with the mandates of Title XI, Federal Financial Institution Reform, Recovery and Enforcement Act (FIRREA) of 1989. The Board insures the integrity of its licensees through fair and consistent enforcement of the statutes and regulations.

Facts and Figures

The Board of Registration of Real Estate Appraisers licenses approximately 4,818 real estate appraisers throughout the Commonwealth. In Fiscal Year 2005, the Board received 24 complaints and resolved 22 complaints from this and previous fiscal years. The Board entered two consent agreements, revoked four licenses, issued two suspensions, and placed two licenses on probation. The Board issued one administrative penalty totaling \$3,000.

Accomplishments

- The Board developed a new complaint committee process that includes one Board staff as a member of the committee. This is for initial complaint review by staff and in some cases the speedy referral of the case to prosecutions or back to the investigative unit for further investigation. It also ensures that the investigators always have access to the complaint committee.
- Complete review of regulations and promulgation of new regulations concerning USPAP continuing education requirements, new standards that require appraisers and applicants to have the board rules and regulations and USPAP available for reference, instructor regulations that offer providers of education more leeway in instructor qualifications, and a disciplinary requirement that keeps a licensee on probation until the licensee contacts the board for full reinstatement regardless of the term of probation.

New Rules and Regulations

- Due to the additional changes to the development and updates of the Uniform Standards of Professional Appraisal Practice (USPAP), the board will pursue changing of its regulations to comply with the Federal requirement.

Continued

Real Estate Appraisers

- The Board is developing a new regulation that will further define the offering of continuing education credit at professional organizations' conferences and seminars.

Future Issues

- The Federal Appraisal Foundation has mandated new educational requirements effective on all licenses and certificates issued on or after January 1, 2008. The new qualifying criteria increases the real estate appraiser related education for all levels and requires college education credit for Certified Residential and Certified General Appraisers.

Real Estate Brokers and Salesmen



Creation of Board

G.L. chapter 13, sections 54 to 57

Rules and Regulations

254 CMR 2.00-7.00

Licensing Provisions

G.L. chapter 112, sections 87PP to 87DDD1/2

Board Members

Ann Blackham,
Chairperson

L. Brad Hutchinson,
Member

Frederick Koed,
Public Member

Richard W. Neitz,
Member

Alfred R. Razzaboni,
Public Member

The Board of Registration of Real Estate Brokers and Salesmen

Licensed real estate brokers and salespersons assist consumers wishing to purchase, sell, lease or exchange real property. This assistance encompasses a host of services including evaluating property for basic valuations, negotiating purchase, sale or lease agreements, maintaining escrow accounts, and advertising.

The Real Estate Board licenses only those candidates who meet the statutory and regulatory requirements for real estate brokers and salespersons. In carrying out its mission, the Board regulates real estate schools and curriculum and contracts with a testing vendor to provide the agent examination. Of equal importance, the Board seeks to protect consumers by exercising its authority to discipline those real estate agents that violate licensing laws and regulations.

Facts and Figures

The Board of Registration of Real Estate Brokers and Salespersons licenses approximately 81,893 real estate brokers and salespersons throughout the Commonwealth. In Fiscal Year 2005, the Board received 304 complaints and resolved 371 complaints from this and previous fiscal years. The Board held two formal hearings. The Board entered into eight consent agreements, revoked 27 licenses, issued 41 suspensions, and accepted one voluntary surrender. The Board refunded consumers \$42,487.50.

Accomplishments

- The Board was the pilot for the development and implementation of a new DPL computer operating system that will offer online license renewals (OASIS) to licensees in Fiscal Year 2006.
- The Board developed and implemented new regulations pursuant to a new statute concerning agent and consumer relationships. It also created a new mandatory relationship written disclosure and written consent forms for designated and dual agency. The disclosure, consent forms, and a new board-developed consumer brochure are all offered online at the Board's website.

Future Issues

- The Board has convened an education sub-committee to assist in drafting revisions to its continuing education curriculum, particularly in view of the new agent-consumer relationship regulation. Once revised and approved by the Board, the curriculum will be utilized by the educational providers to inform licensees on relevant topics of practice.

Continued

Special Recognition

- The Board wishes to recognize the works of its Executive Director, Joe Autilio, particularly with respect to its new agent-consumer brochure relationship regulation. It also wishes to recognize the continued outstanding performance of staff members Neal Fenochietti and Colleen DiGiralamo.

New Rules and Regulations

- The new agent-consumer relationship regulation (254 CMR 3.00[13]) became effective July 1, 2005.

Sanitarians



The Board of Registration of Sanitarians

Sanitarians administer environmental and health programs for both public and private agencies and organizations in food protection and safety, water quality, air quality, noise, industrial and land pollution, sewage disposal, hazardous and toxic substances, solid waste management, and institutional health.

The Board of Registration of Sanitarians protects the public health and welfare through regulation of the profession in accordance with the state statutes and board regulations. The Board maintains a registration program for persons meeting the established educational, experience, and examination requirements. It determines eligibility for admission to the examination and conducts both written and oral exams. The Board maintains registration records, issues certificates of registration, holds meetings, adopts new regulations, and determines continuing education requirements. In enforcing the laws in the fields of environmental and public health, the Board is qualified to perform public health and environmental inspections and related administrative duties. The Board investigates reports of violations in rules and regulations, conducts hearings, and takes disciplinary action when required.

Facts and Figures

The Board of Registration of Sanitarians licenses approximately 401 sanitarians throughout the Commonwealth. In Fiscal Year 2005, the Board resolved three complaints from the previous fiscal year. The Board entered into one consent agreement and placed one license on probation.

Accomplishments

- The Board held a meeting with the Certified Health Officers to discuss similarities in licensees.

Future Issues

- The Board is exploring the option of computer based testing for the National Environment Health Association Exam.

Creation of Board

G.L. chapter 13, sections 51 to 53

Rules and Regulations

255 CMR 2.00-5.00

Licensing Provisions

G.L. chapter 112, sections 87LL to 87OO

Board Members

Sharon Cameron,
Chair

Dr. David Kaplan,
Vice Chair

Gregory Erickson,
Secretary

Vartkes K. Karaian,
Member

Jennifer Lamb-Sullivan,
Member

Peter Mirandi,
Member

Social Workers



The Board of Registration of Social Workers

Licensed Social Workers provide services to consumers as defined by the statutes and described in the regulations. Generally, social work professionals provide counseling to individuals, couples, families, and groups directed toward specific goals. They assist individuals or groups with difficult day-to-day problems, such as finding employment, locating sources of assistance, and organizing community groups to work on a specific problem.

The Board of Registration of Social Workers protects the public through regulation of the practice in the Commonwealth of Massachusetts. It determines eligibility for admission to examinations for social work, conducts examinations, and licenses qualified individuals at one of four levels of licensure (Licensed Independent Clinical Social Worker, LICSW; Licensed Certified Social Worker, LCSW; Licensed Social Worker, LSW; Licensed Social Work Associate, LSWA). The Board holds meetings, hears complaints, and takes action as required with the assistance of the Division's legal counsel and investigators.

Facts and Figures

The Board of Registration of Social Workers licenses approximately 20,094 social workers throughout the Commonwealth. In Fiscal Year 2005, the Board received 39 complaints and resolved 27 complaints from this and previous fiscal years. The Board held one investigative conference. The Board entered into one consent agreement, revoked one license, issued one suspension, and placed two licenses on probation.

Accomplishments

- The Board successfully transferred application processing vendors from Thomson Prometric to the Association of Social Work Boards (ASWB).
- Additionally, the Board hosted the Association of Social Work Board's Annual Spring Conference in April at the Hyatt Regency in Boston.

Special Recognition

- Long time Board Educator, Aida Bruns had years of hard work finally recognized when she was asked to be the Key Note Speaker at Bridgewater State College's first ever MSW graduation hooding ceremony. Aida is an Emeritus Alumna at Smith College and had worked with other dedicated staff members for many years to see an MSW program established at Bridgewater. Bridgewater State College is the second state school in Massachusetts to offer an MSW program.

Continued

Creation of Board

G.L. chapter 13, sections 80 to 84

Rules and Regulations

258 CMR 1.00 to 31.00

Licensing Provisions

G.L. chapter 112, sections 130 to 137

Board Members

Walter Stamper,
Chair

Mary Chin, LICSW
Continuing Education
Chairperson

Leticia Hermosa,
Vice Chair

Priscilla Lynch,
Public Member

Tamara Cadet, LICSW,
Member

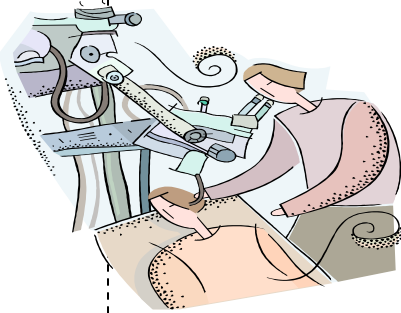
Aida Bruns,
Public Member

Social Workers

Future Issues

- The Board is looking forward to utilizing the new enforcement bill in the fining of social workers who do not complete their continuing education requirements.

Speech-Language Pathology and Audiology



The Board of Registration of Speech Language Pathology and Audiology

Speech-Language Pathologists screen, identify, assess and interpret, diagnose, rehabilitate, and work to prevent disorders of communication. These disorders can include articulation, fluency, voice, and language.

Audiologists work with peripheral and central audiological systems and vestibular dysfunction. Audiologists screen, identify, assess and interpret, diagnose, rehabilitate, and work to prevent communication disorders.

The Board of Registration in Speech-Language Pathology and Audiology works to license those applicants meeting its qualifications, to uphold standards within the professions, and to protect the health, safety, and welfare of the public.

Creation of Board

G.L. chapter 13 sections 85 to 87

Rules and Regulations

260 CMR 1.00-9.00

Licensing Provisions

G.L. chapter 112, sections 138 to 147

Board Members

**Barbara A. Morris, M.A.,
CCC-A,**
Chair

**Michael L. Skrip, M.S.,
CCC-A, FAAA,**
Secretary

**Gregory L. Lof, Ph.D.,
CCC-SLP,**
Member

**Lenore Daniels-Miller, Sc.D.,
CCC-SLP,**
Member

**Holly Arsenault,
Public Member**

Facts and Figures

The Board of Registration of Speech Language Pathology and Audiology licenses approximately 4,531 speech language pathologists and audiologists throughout the Commonwealth. In Fiscal Year 2005, the Board received four complaints and resolved one complaint from this and previous fiscal years.

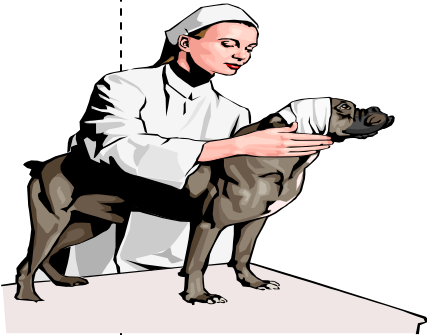
Accomplishments

- The Board interviewed a number of individuals who were under the mistaken impression they did not need to keep their Speech-Language Pathology or Audiology license current as long as they maintained current status with the American Speech Hearing Association (ASHA) and held the appropriate Massachusetts Educator's license. Board Members worked with administrative and legal staff at Massachusetts Department of Education and also spent many hours educating school administrators and special education directors to correct this misapprehension. The Board plans to reinforce the licensure message when as it rolls out the licensure program for assistants.

Rules and Regulations

- The Speech-Language Pathology and Audiology Board had a busy year of statutory and regulatory review. As part of the Division of Professional Licensure's regulations project, the Board revised its regulations to improve readability. On the suggestion of the newer Board Members, the Board also proposed regulatory language to reflect upcoming changes in the national professional standards, especially in the area of academic requirements. Almost immediately after adopting these new regulations, however, the Board learned the Massachusetts Legislature succeeded in passing a law requiring the licensure of all speech-language pathology assistants and audiology assistants. The Board Members immediately began drafting the regulations to effect this requirement.

Veterinarians



Creation of Board

G.L. chapter 13, sections 26 to 28

Rules and Regulations

256 CMR 2.00-8.00

Licensing Provisions

G.L. chapter 112, sections 54 to 60

Board Members

Steven Atwood, VMD,
Chair

Robert Davis, DVM,
Member

Edward Leonard, DVM,
Member

Edward Zullo, DVM,
Member

Trudy Lanman, Secretary
Public Member

The Board of Registration of Veterinary Medicine

Veterinarians generally diagnose, treat, and prescribe for disease, pain, or injury in animals. The Board of Registration in Veterinary Medicine licenses those applicants who have received a doctor's degree in veterinary medicine from an approved school and have passed the national exams and the state's jurisprudence exam with grades considered satisfactory by the Board.

The Board protects the public by monitoring the practices of the veterinarians it licenses to insure that they practice according to the laws of Massachusetts and the Board's established standards and code of conduct. The Board works to recognize and address the needs and demands of the profession in a timely fashion.

Facts and Figures

The Board of Registration of Veterinarians licenses approximately 2,589 veterinarians throughout the Commonwealth. In Fiscal Year 2005, the Board received 78 complaints and resolved 91 complaints from this and previous fiscal years. The Board held 10 investigative conferences. The Board entered into two consent agreements, accepted the voluntary surrender of two licenses, revoked six licenses, issued two suspensions, and issued four probations. The Board issued seven administrative penalties totaling \$1,100.00.

Accomplishments

- Most notable in December 2004 was a cooperative effort between the Department of Agricultural Resources and the Board of Registration in Veterinary Medicine—the finalizing of the Joint Policy Statement on Pet Shops. This joint statement is intended to clarify the standard of professional practice and services that are expected of all professionals and business and to which they will be held accountable by their respective licensing authorities. The Board sent this information out to all licensees at the time of the renewal of their license. Additionally, the Board has worked closely with the Bureau of Animal Health, to conduct investigations of the pet shops and the licensed veterinarians who work for them.
- With administrative penalty power given to the Boards because of the new Enforcement Law, new inspection forms were created and will be implemented for the new fiscal year. In June 2005 the last revisions with specific wording were to be added to the veterinary inspection forms for pet shops and clinics/hospitals.
- New regulations were promulgated in September 2004 which specifically clarified the continuing education requirements that were made law in 2003. Furthermore, the Board has re-written its jurisprudence exam to reflect the

Continued

Special Recognition

- The Board is most grateful to Investigator Alan Van Tassel for the time and energy put forth in his thorough investigations, as well as his development of tools to assist in the Board investigation process. Investigator Van Tassel has demonstrated outstanding investigation skills, and his work products have been an asset to the Board and its public protection mission.

Rules and Regulations

- 256 CMR was updated and published, effective for September 2004
- Policy Drafts Accepted at the December 9, 2004 Meeting
 - Further clarifying renewal of an inactive license.
 - Policy regarding continuing education requirements in first year of licensure.
 - Further clarifying temporary permits going to permanent.
 - Policy on Limited Practice Veterinary Specialist seeking full licensure.

Division of Professional Licensure

Employees



Administration

Anne L. Collins
Director
Charles Borstel
Assistant to the Director
Stacey Whelan
Executive Assistant
Richard Page
Deputy Director for General Administration
Linda Grasso
Deputy Director for Enforcement and General Counsel
Stephen Nemmers
Deputy Director for Policy and Planning
Rosemary Sandlin
Springfield Office Manager
Clarise Spriggs
Administrative Services Coordinator
Dalisna Noel
Receptionist
Sara Steele-Rogers
External Affairs Intern

Accounting Unit

Susan Dolabany
Fiscal Services Manager
Orlando Abreau
Accountant
Wilma Kennon
Accountant
Mouna Khoukoz
Accountant

Rose Kottat
Accountant
Greg Hall
Mail Clerk

Computer Services

Ken Peterson
MIS Director
Arthur Chidlovski
Webmaster
Julia Ruiz
EDP Systems Operator
Paul Squatrito
EDP Systems Analyst
Gerard Galvin
Program Coordinator
Steve Whittredge
Network Coordinator
Milan Demel
EDP Systems Analyst
George Ulrich
Programmer
Said Gusic
Administrative Assistant
Clementina Mazzotta
Administrative Assistant

Investigations

Jerry DeCristofaro
Chief Investigator
Christopher Carroll
Assistant Chief Investigator
Anne Driscoll
Supervisor
Mark Duverger
Supervisor
Kelly Puccio
Supervisor
Alan Van Tassell
Supervisor
Cheryl Yebba
Administrative Services Coordinator
Kristen Garfield
Administrative Assistant
Kerry McDermott
Administrative Assistant

Rebecca Weller
Administrative Assistant

Investigators:

John Bresnahan
Joan Bristol
Theresa Buckley
Colleen Cotter
Shawn Croke
Ashley Dizel
Colleen Feeney
Hubert Gray
Christopher Lee
David Medeiros
Pamela Mogavero
Joseph Moran
Richard Paris
Taylor Roth, Jr.
Anne Marie Staunton
Catherine Stec
Paul Taylor
Gary Williamson

Office of Legal Counsel

Kathe Mullally
Chief Legal Counsel
Alex Borre
Board Counsel
Robert Finneran
Board Counsel
Sheila York
Board Counsel
Stephanie Zierten
Board Counsel
Irene Carr
Hearings Counsel
Annie Colleton
Hearings Counsel
Maria Silva
Paralegal
Interns:
Crystal Milet
Jeffrey Wilson

Office of Prosecutions

George Weber
Chief Prosecutor
Leslie Alexander
Prosecuting Counsel
Charles Kilb
Prosecuting Counsel
Deborah Kravitz
Prosecuting Counsel
Jennifer Murphy
Prosecuting Counsel
James Read
Prosecuting Counsel
Amy Riordan
Administrative Assistant
Pasqua Scibelli
Prosecuting Counsel
Jessica Uhing-Luedde
Prosecuting Counsel
Interns:
Joe Dean
Seth Henderson
Richard Matthews
Jay Surabian

**Boards of
Registration**

Erin Arnold
Executive Director
Allied Health Professionals
Dietitians and Nutritionists
Engineers
Health Officers
Psychologists
Social Workers
Veterinarians
Staff:
Susan Coco
Joe LaFrazia
Debbie Milliken
Patricia Murray
Karen Schwartz

Joseph Autilio

Executive Director
Real Estate Brokers and
Salespersons
Real Estate Appraisers
Staff:
Gladys Clifton
Colleen DiGirolamo
Neil Fenochietti
Amelia Halas
Brian Tame

Richard Fredette

Executive Director
Electricians
Staff:
Frantzie Luc
Dolores Powers
Tamara Smith

Catherine Keyes

Executive Director
Allied Health Professionals
Certified Public Accountants
Chiropractors
Optometrists
Podiatry
Speech Language/Pathology
Staff:
Araceli Avila-Ging
Ann Evans
Victoria Fernandes
Deta Lawson
Gretchen Lucas
Michelina Martignetti
Karol Sierra-Yanez
Joanne Termine
Intern:
Tom Burke

Joseph Peluso

Executive Director
Plumbers and Gas Fitters
Staff:
Ann Derousi
Cynthia Johnson
Norman St. Hilaire
Lou Visco
Sal Sansone

Helen Peveri

Executive Director
Architects
Cosmetologists
Drinking Water
Electrologists
Engineers/Land Surveyors
Embalmers and Funeral
Directors
Landscape Architects
Sanitarians
Staff:
Patrice Buchanan
Colleen Cavanaugh
Christine Garner
Sandra Rodriguez
Kim Scully
John Doherty

Zane Skerry

Executive Director
Barbers
Dispensing Opticians
Hearing Instrument
Specialists
Radio and TV Repair
Staff:
Paula King

Division of Professional Licensure

General Information..... (617)727-3074

Boards of Registration

Allied Health.....	727-3071
(Occupational Therapists and Assistance, Physical Therapists and Assistants, Athletic Trainers)	
Allied Mental Health.....	727-3080
(Mental Health Counselors, Marriage and Family Therapists, Rehabilitation Counselors and Educational Psychologists)	
Architects.....	727-3072
Barbers.....	727-7367
Chiropractors.....	727-3093
Cosmetologists.....	727-9940
(Hairdressers, Aestheticians and Manicurists)	
Dietitians and Nutritionists.....	727-3073
Dispensing Opticians.....	727-5339
Operators of Drinking Water Facilities.....	727-1718
Electricians and Alarm Systems.....	727-9931
Electrologists.....	727-9957
Embalmers/Funeral Service.....	727-1718
Engineers and Land Surveyors.....	727-9957
Health Officers.....	727-9925
Hearing Instrument Specialists.....	727-5339
Home Inspectors.....	727-4459
Landscape Architects.....	727-3072
Optometrists.....	727-3093
Plumbers and Gas Fitters.....	727-9952
Podiatrists.....	727-3093
Psychologists.....	727-9925
Public Accountants.....	727-1806
Radio/TV Technicians.....	727-4459
Real Estate Brokers and Salespersons.....	727-2373
Real Estate Appraisers.....	727-3055
Sanitarians.....	727-3072
Speech-Language/Audiology.....	727-3071
Social Workers.....	727-3073
Veterinarians.....	727-3080
Office of Investigations	
Boston.....	727-7406
Springfield.....	413-784-1152

239 Causeway Street
Boston, MA 02114